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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 18, 2009.

I hereby appoint the Honorable G.K. BUTTERFIELD to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Reverend George E. Battle, Bishop, North Eastern Episcopal District, African Methodist Episcopal Zion Church, Charlotte, North Carolina, offered the following prayer:

God, we thank You for this wonderful day and this historic occasion. Thank You for our wonderful Nation and all those who represent us in the Congress of the United States of America.

You continually give us the opportunity to start anew so we celebrate this magnificent collection of leaders who will help pilot this Nation. Please give our Congress the wisdom to do what is right and not be driven by what is expedient. Give them the discretion to not be threatened by wise counsel or constructive criticism.

In the face of this magnificent occasion, God, continue to not only endow and bolster our Representatives, but give us the understanding to know that we play a crucial part in whether or not our leadership will be successful.

Bless the brave men and women of our armed services and their families. God bless America, her leaders and her people. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. JOHNSON of Georgia led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 1541. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

H. Con. Res. 39. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

The message also announced that the Senate has passed bills and agreed to joint resolutions of the following titles in which the concurrence of the House is requested:

S. 303. An act to reauthorize and improve the Federal Financial Assistance Management Improvement Act of 1999.

S. 620. An act to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

S.J. Res. 8. Joint Resolution providing for the appointment of David M. Rubenstein as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 9. Joint Resolution providing for the appointment of France A. Cordova as a citizen regent of the Board of Regents of the Smithsonian Institution.

WELCOMING BISHOP GEORGE E. BATTLE

The SPEAKER pro tempore. Without objection, the gentleman from North Carolina (Mr. WATT) is recognized for 1 minute.

There was no objection.

Mr. WATT. Mr. Speaker, I am privileged today to welcome and say words of welcome on behalf of the House to the wonderful bishop and minister who delivered our prayer for us this morning, whom I am privileged to have as a constituent in my congressional district.

He is not only a leader in the African Methodist Episcopal Zion Church but has been a leader in our community of Charlotte, North Carolina, and in our State for a number of years. He has served on our school board, he has been a corporate leader serving on boards of distinction, and he is an outstanding family man as well as, of course, a religious leader of our community.

We are delighted to welcome Bishop Battle today, and wish him well. His wife is just recovering from surgery, and we wish her well also on behalf of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

MORNING IN AMERICA BRINGS NEW COURSE OF ACTION

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

Printed on recycled paper.

Mr. JOHNSON of Georgia. Good morning, everybody; good morning, America. How are you? I am showing my age a little bit.

Ladies and gentlemen, it is always great to be an American, and it is always a great time in America because we have hope and vision for the future, and I am happy to report to you that Congress and the Obama administration have departed on a new course of action—no more voodoo economics, no more trickle-down economics. These are failed policies, and it is time for something new.

Whenever something new is on the table, there are always those who, instead of appreciating being Americans, they complain and don't add anything positive to the discussion.

But despite the obstacles that we confront, we will continue down this road. And, indeed, America will continue to experience morning in America.

AIG, BONUSES, AND THE FRENCH

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

Mr. POE of Texas. Mr. Speaker, AIG took bailout money and then gave millions to executives in bonuses. Now Congress is bent out of shape about it, and rightfully so. But the truth is in the last stimulus bill that Congress quickly passed with little or no debate was an attached amendment to allow AIG to do exactly what they did—give out high-dollar bonuses.

Congress is responsible for this irresponsible spending and must deal with the consequences. To make matters worse, AIG gave bailout money to foreign banks, like in France. The French are the same people who vilify the United States, blame the world's problems on us, and have a disdain for everything American.

Mr. Speaker, I think the U.S. has bailed out France enough. We helped save France in World War I, saved them again in World War II, and took over in Vietnam after they failed there—but with little or no gratitude from the French.

And AIG also gave billions to German and English banks. We can't afford to give away taxpayer money and reward failure while making working Americans pay for all of this nonsense. ''No'' to more bailouts, foreign or domestic.

And that's just the way it is.

BRAIN AWARENESS WEEK

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

Mr. SESTAK. Mr. Speaker, I rise to say a few words about Brain Awareness Week. This is the week that the Society of Neuroscience members spread throughout America to speak about the exciting wonders of the mind. But in addition, like up in my district at Franklin Institute, they will speak about not only neuroscience, but how do we take care of those patients who suffer damage.

I speak about this because as a veteran, as the Pentagon announced early this month, 360,000 of those 1.8 million members of our society who went to Iraq or Afghanistan have returned with a brain injury. The vast majority of them have healed and will heal, except for about 90,000 who will have lasting damage. That's why this week is so important. While we have a tendency to take care of these patients, there is much more to be done in the treatment of their damage with the discovery of neurostem cells and the possibility of stem transplants to repair the damage.

Again, I commend the Society of Neuroscience, particularly in this area of our returning veterans to help them improve their quality of life.

BUDGET TAXES TOO MUCH

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

Mr. FLEMING. Mr. Speaker, this is budget time again, and this budget proposed by the administration has some very major flaws in it. It creates a greater tax burden on the American people, among other things. The budget calls for a $637 billion tax increase for the majority of small businesses that pay taxes as individuals.

The cap-and-tax program, not the cap-and-trade but cap-and-tax program, will increase taxes conservatively by $646 billion on energy to every household in America. These households can expect to pay more than $3,000 a year extra on their utility bills. This is money taken directly out of the pockets of working families struggling to pay bills each month.

This budget also caps the value of itemized deductions for those with higher incomes and really middle-class incomes, reducing charitable giving by $9 billion a year which will devastate charities.

Finally, this budget reinstates the death tax which has been found to lower overall employment by $1.5 million.

This budget spends too much, wastes too much, and taxes too much.

NOT SO FAST ON THE AIG BONUSES

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

Mr. BLUMENAUER. Mr. Speaker, not quite so fast on the AIG bonuses. The weasels who drove that company into the ground may not even be entitled to the bonuses in their contract based on their performance. And a failed company rescued from bankruptcy by the United States Government may not be obligated to pay them anyway.

Thankfully, there is also the power of the tax code. Let's return to the Eisenhower tax rates of 90 percent for people who receive bonuses from companies that we already own 50 percent or more of with taxpayer money.

For years the tax code around here has been tortured to reward people who need tax cuts absolutely the least. Hopefully we can use it this time to impose a little tax justice.

WHERE DOES ALL OF THE MONEY COME FROM?

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

Mrs. BLACKBURN. Mr. Speaker, one of my constituents recently said to me, ''I'm tired of the government spending money I have not made yet for programs I don't want.'' And my constituents are right on this.

On top of the trillions that have already been spent, the President's budget is proposing doubling Federal spending by the year 2019. My constituents are saying, ''How are we going to pay for this?''

Well, as we have heard this morning, there is the tax-and-cap scheme which is $646 billion and is going to cost every American family an additional $3,128 per year out of their household budget.

There is also the small-business taxes, $637 billion of new small-business taxes. It is going to wipe out any kind of tax reduction that would have gone to the 95 percent of working Americans.

So the question becomes: Where does all of this money come from? Well, we know that the Democrat leadership is going to borrow too much, they are going to tax too much, and they are going to spend too much of the taxpayers' money.

HEALTH CARE REFORM

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

Mr. ALTMIRE. Mr. Speaker, with passage of the long-overdue SCHIP bill, Congress and the President expanded health care coverage to 4 million American children who were previously uncovered. This single step did more to improve our health care system in one day than we had seen in 8 years. But there is still more to be done.

Every individual, every family, and every business in America struggles every day with health care costs. Their inability to afford coverage and the increased cost for goods and services as a result of health care costs for their business, this issue affects everybody in every way.

But for the first time, the President and Congress plan to consider health care reform as part of the budget process so we can accurately account for the true costs of doing health care reform and of not doing health care reform, which would be the price of inaction.

Health care cost increases are on an unsustainable course, and we can no longer hide behind budget gimmicks and just pass along the tough fiscal decisions for future Congresses. The time has come to act.

□ 1015

PRESIDENT'S BUDGET TAKES US IN THE WRONG DIRECTION

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

Mr. PITTS. Mr. Speaker, the $3.6 trillion budget released by President Obama spends too much, taxes too much, borrows too much, and wastes too much.

Today, middle-class families and small businesses are making sacrifices when it comes to their own budget, yet Washington continues to spend trillions of taxpayer dollars on bailouts and other government programs. The spending in this budget is so massive that independent estimates suggest roughly 250,000 new Federal bureaucrats may be needed just to spend it all.

Rather than government cutting back, showing restraint, operating more efficiently on basic government responsibilities, the President proposes to create massive new programs, vastly expanding the scope and reach of the Federal Government. The energy taxes alone will cost every household over 3,000 additional dollars per year.

This budget will cost American jobs at a time when we can't afford it. The majority of those hit by the new tax increases are small businesses, the engines of job creation in our economy. This budget takes us in the wrong direction.

CONGRATULATING MAHONING VALLEY

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

Mr. WILSON of Ohio. Mr. Speaker, I come to the floor today to congratulate the Mahoning Valley on a much-deserved honor. It recently ranked seventh in the Nation among mid-sized metropolitan areas for business attraction and expansion, according to Site Selection magazine. This is the first time the Valley has been chosen since the survey began 30 years ago.

Amidst all the bad economic news, this announcement was a bright spot that demonstrates all the hard work our businesses, workforce, and elected officials have put into making our community a great place to live and work and expand. The Mahoning Valley is ripe for economic development, and I am so pleased to see it receive such positive recognition. The magazine recognizes the local metropolitan area, which includes Mahoning, Trumbull, and Columbiana Counties in Ohio.

Congratulations, Mahoning Valley. I am so proud to represent you, and look forward to continuing to help foster economic development in Ohio's Sixth District.

MEDIA'S IMMIGRATION BIAS PREVENTS AMERICANS FROM GETTING FACTS

(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, many of us remember the tragic case of Chandra Levy, a former Washington, D.C. intern who disappeared suddenly 8 years ago.

The man charged recently with murdering Ms. Levy entered the United States illegally, but you might not have known that by following the news. CBS, CNN, and the AP, among many other media outlets, failed to mention even once that the suspect entered the country illegally. Instead, the media used terms like ''incarcerated felon'' and ''jailed attacker'' to refer to the suspect in news reports. They neglected to point out that the suspect would not have been able to commit the alleged murder if he had not entered the country illegally in the first place.

This is an example of how the media's liberal bias on immigration issues prevents Americans from getting the facts. Whether it's immigration or any other issue, the media should report the facts, not slant the news.

BUSH BUDGET LEGACY—DEEP DEFICITS AND ECONOMIC DECLINE

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

Ms. WATSON. Mr. Speaker, in January, 2001, President Bush inherited a fiscal situation stronger than any in half a century. When President Clinton left office, the Federal budget was on track to retire all debt for the first time since 1835 and add $3 trillion in net national savings. But Republican trickle-down economic policies changed all that—squandering the entire budget surplus and instead creating deficits in the trillions.

Republicans let budget rules lapse. They increased spending, they cut revenue, and enacted expensive tax cuts for those who needed them the least. On President Bush's watch, the debt held by the public grew from $3.4 to $6.3 trillion. The gross Federal debt doubled, and foreign-held debt more than tripled.

Mr. Speaker, the healthy fiscal forecast the Bush administration inherited 8 years ago has now been replaced by record budget deficits as far as the eye can see and an economy in a tailspin. This is the unfortunate situation that President Bush left President Obama. It stands in stark contrast to what President Bush inherited in 2001 and demonstrates the harmful effects of Republican economic policies.

REJECT THE FLAWED CAP-AND-TAX PROGRAM

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

Mr. SULLIVAN. Mr. Speaker, while our Nation is suffering a severe economic recession, the Democrat majority is working behind closed doors to enact the largest carbon regulatory scheme in our Nation's history in the form of a cap-and-tax system. In fact, President Obama's budget includes a $646 billion cap-and-trade energy tax that will be paid by every American who drives a car, turns on a light switch, or buys a product made in the United States. And that's every single American, regardless of income. No matter how you slice it, this issue is a huge tax. Government revenues are, of course, taxes on the American people.

This cap-and-tax scheme would cost the average American household in every State up to $3,000 a year, and that's a very conservative estimate. This is really not a good way to stimulate our economy in economic bad times like we are in.

I urge my colleagues on the other side of the aisle to reject the flawed cap-and-tax program in the President's budget. The Democrat majority is borrowing too much money, taxing too much, and spending too much. When is it enough?

AMERICA WILL RECOVER AND EMERGE STRONGER THAN EVER BEFORE

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

Ms. CASTOR of Florida. According to a poll released this week, more Americans believe that the country is on the right track than before the election, and they believe that President Obama is handling his new job very well.

What I hear from folks back home in Florida is they have faith that the recovery plan is going to help them. Indeed, the moneys are being delivered to local communities to create jobs. In Tampa, we're going to construct an important link for economic development out of our port, moneys for our public schools, and students will arrive this month.

Energy efficiency. We are going to weatherize homes throughout the Tampa Bay area and the State of Florida.

On Monday, we announced a computer initiative to computerize medical records throughout the Tampa Bay region. Health care for Floridians will be provided because we are not going to let our neighbors fall through the crack during this economic downturn.

The budget priorities President Obama has sent us are right—health care reform, education, and investments in energy. We will recover, and

America will emerge stronger than ever before.

PMA SCANDAL

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

Mr. FLAKE. Mr. Speaker, later today or tomorrow, the House will be voting again on a privileged resolution to look into the matter of the PMA scandal. There is an outside investigation by the Department of Justice into PMA, a powerhouse lobbying firm that will close its doors at the end of the month because of suspect contributions to Members of Congress, Members of Congress who secured no-bid contracts on behalf of that firm.

Mr. Speaker, several years ago we had the Jack Abramoff scandal. The leadership at that time was slow to recognize that scandal, and it kept spreading until it got worse and did damage to the reputation of this body. Let's not make that same mistake today. This scandal promises to be far larger if we let it go. So let's have the investigation go on by the Ethics Committee. We have an obligation to uphold the dignity and decorum of this body and we are not exercising it yet.

I urge a vote not to table the resolution, and let the Ethics Committee investigate this scandal.

NATIONAL SAFE PLACE WEEK

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

Mr. YARMUTH. Mr. Speaker, I rise in recognition of National Safe Place Week, the organization and the critical services it provides to young people in need.

Of the more than 1 million youth who experience homelessness annually, some are born without homes, but most run away to escape abuse; and with no hope in sight, one-third attempt suicide. Thankfully, National Safe Place recognizes that in each of these young people is hope for the future, a chance to succeed, and an opportunity to become productive members of our communities.

In the 26 years since National Safe Place began in my hometown of Louisville, Kentucky, it has served nearly a quarter million disconnected youth nationwide, 100,000 in Kentucky alone. In 40 States and 1,400 communities across the Nation, Safe Place has provided the services and support to help a child's potential become a reality. No wonder Safe Place is the largest recipient of funding through the Reconnecting Homeless Youth Act, which we just reauthorized with legislation I authored with my colleague, JUDY BIGGERT.

Time after time, adolescents devoid of hope have traveled a path that seems sure to dead end, only to find themselves in front of one of 1,600 stores, restaurants, and businesses bearing the Safe Place logo. Inside, they find a new path that begins with the support every child needs and ends with a chance that every child deserves.

I urge my colleagues to join me in celebrating National Safe Place Week.

IT IS TIME TO TAKE BACK TAXPAYER MONEY FROM AIG

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

Mrs. DAHLKEMPER. Mr. Speaker, I rise today on behalf of the hardworking families of my district and the State of Pennsylvania who, like me, are shocked and outraged by recent actions taken by the insurance company, AIG.

Mr. Speaker, the current economic downturn has been especially difficult for my constituents. Traveling across my district, I have heard the same story from far too many middle-class families about how they are bearing the brunt of our faltering economy. Paychecks can't stretch far enough anymore to make payments on the mortgage, buy groceries, and pay the utility bills. In fact, many of my constituents who have worked hard and played by the rules have had to take a pay cut simply to keep their jobs.

My constituents work hard and meet their responsibilities every day, and they don't have the benefit of government bailouts or multimillion-dollar bonuses. However, they have seen their hard-earned tax dollars go to bail out companies like AIG, whose own greed and recklessness are responsible for the economic downturn in the first place.

Mr. Speaker, it is hard to understand why AIG executives think they have earned bonuses in the first place; but, more importantly, how dare AIG use tens of millions of taxpayer dollars to reward themselves for bad behavior. How can they justify this outrage to taxpayers who are keeping their company afloat?

I say enough is enough. And that is why I am supporting legislation that will safeguard the taxpayers' money and hold AIG executives accountable once and for all.

CHANGING THE HEALTH CARE SYSTEM

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am so grateful for a President that believes in the American people. I thank him for his budget, thank him for his outrage regarding outrageous AIG employees receiving bonuses, thank him for recognizing the 47 million plus that are growing who need health care reform, and thank this leadership that is beginning to open the discussion on American health care reform that is so very important.

I happen to believe a single-payer system is a health care payment system, not a health care delivery system. Health care providers will be in a fee-for-service practice and will not be employees of the government. Therefore, it is not socialized medicine. Single-payer health care is not socialized medicine any more than the public funding of education is socialized education or the public funding of the defense industry is socialized defense.

What we simply want is the ability for that single payer to negotiate prescription drug prices, hospital prices, nursing home prices. We simple want the ability to give the American people the insurance on health care that they and their children need.

Interestingly enough, polls show that 60 to 75 percent of Americans believe in this type of system. But the most important aspect is, we have a leader—and the leadership in this Congress—that says Americans count. Let us change the health care system today, not pay AIG employees bonuses.

AMERICANS DESERVE BETTER SOLUTIONS

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

Mr. TIBERI. Ladies and gentlemen, in the coming weeks, we are going to debate the budget for the United States of America for the next 10 years, for next year and beyond. This budget clearly taxes too much, spends too much, and borrows too much from the American people. In fact, not only does it do that, but for someone like my mom and dad who are on fixed incomes, seniors, this will cause their taxes to go up every time they fill the tank of their 14-year-old car, turn on the lights of their 35-year-old house, or turn up the thermostat to heat or turn it down to cool their home.

This is a huge tax on American consumers, particularly from my State in Ohio, with this cap-and-tax issue that is within this budget, a debate that we're going to have in this House this month and next month.

Americans deserve better. They deserve better solutions. Republicans in the minority here are willing to be part of those better solutions. I hope that the Speaker and the leadership of the House will be partners with us for those better solutions.

□ 1030

RESEARCH AND DEVELOPMENT TAX CREDITS

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

Mr. BOCCIERI. Mr. Speaker, the American people are demanding leadership, and we will be judged in this House by two measures, by action or inaction, and whether what we do in this House is going to put our economy and our people back on track.

And let me tell you, while some of my colleagues stand with their arms

extended and say ''no,'' we stand here today and say ''yes,'' that America can and will recover from this great economic downturn.

I found a Member on the other side of the aisle who would stand with me to make permanent research and development tax credits that will invest in energy programs that will benefit Ohio and put our Nation on the road to recovery. I talk about a tax credit that will help companies like the EBO Group in my district that's studying plug-in hybrids and batteries that can make our cars more efficient, or the Rolls Royce Corporation in my district with the research and development tax credit that will give them the wherewithal to invest in fuel cell technology so we can move away from our dependence on foreign oil.

My friends, we will be judged as leaders or blockers. Are we going to say ''yes'' or are we going to say ''no''? Are we going to act or are we not? This is the time we need to invest in America, in her greatest time of need.

TAX CUTS

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

Mr. PALLONE. Mr. Speaker, the President's budget cuts taxes for 95 percent of America's workers and their families. It cuts spending, nondefense discretionary, over 10 years to its lowest level as a percentage of the economy in nearly half a century. The President's budget also cuts the deficit in half over 4 years. It grows nothing but jobs. And creating American jobs means making quality health care affordable. It means powering our economy with clean American energy. And it means modernizing our education system.

Mr. Speaker, we have had 8 years of slow growth and actually a loss of jobs under President Bush, under the previous administration. The failure to reform and invest produced those 8 years of slow growth and loss of jobs. We need to turn that around, and that's what President Obama's budget will do.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2009

Mr. LEWIS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1512) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1512

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 ''Federal Aviation Administration Extension Act of 2009''.

SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''March 31, 2009'' and inserting ''September 30, 2009''.

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking ''March 31, 2009'' and inserting ''September 30, 2009''.

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking ''March 31, 2009'' and inserting ''September 30, 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2009.

SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''April 1, 2009'' and inserting ''October 1, 2009'', and

(2) by inserting ''or the Federal Aviation Administration Extension Act of 2009'' before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) of such Code is amended by striking ''April 1, 2009'' and inserting ''October 1, 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2009.

SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 48103(6) of title 49, United States Code, is amended by striking ''$1,950,000,000 for the 6-month period beginning on October 1, 2008.'' and inserting ''$3,900,000,000 for fiscal year 2009.''.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking ''March 31, 2009,'' and inserting ''September 30, 2009,''.

SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(l)(7) of title 49, United States Code, is amended by striking ''April 1, 2009.'' and inserting ''October 1, 2009.''.

(b) Section 44302(f)(1) of such title is amended—

(1) by striking ''March 31, 2009,'' and inserting ''September 30, 2009,''; and

(2) by striking ''May 31, 2009,'' and inserting ''December 31, 2009,''.

(c) Section 44303(b) of such title is amended by striking ''May 31, 2009,'' and inserting ''December 31, 2009,''.

(d) Section 47107(s)(3) of such title is amended by striking ''April 1, 2009.'' and inserting ''October 1, 2009.''.

(e) Section 47115(j) of such title is amended by striking ''2008, and for the portion of fiscal year 2009 ending before April 1, 2009,'' and inserting ''2009,''.

(f) Section 47141(f) of such title is amended by striking ''March 31, 2009.'' and inserting ''September 30, 2009.''.

(g) Section 49108 of such title is amended by striking ''March 31, 2009,'' and inserting ''September 30, 2009,''.

(h) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking ''made in'' and all that follows through ''under chapter 471'' and inserting ''made in fiscal year 2009 under chapter 471''.

(i) Section 186(d) of such Act (117 Stat. 2518) is amended by striking ''2008, and for the portion of fiscal year 2009 ending before April 1, 2009,'' and inserting ''2009,''.

(j) The amendments made by this section shall take effect on April 1, 2009.

SEC. 6. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k)(1)(E) of title 49, United States Code, is amended by striking ''$4,516,364,500 for the 6-month period beginning on October 1, 2008.'' and inserting ''$9,042,467,000 for fiscal year 2009.''.

SEC. 7. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a)(5) of title 49, United States Code, is amended by striking ''$1,360,188,750 for the 6-month period beginning on October 1, 2008.'' and inserting ''$2,742,095,000 for fiscal year 2009.''.

SEC. 8. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a)(13) of title 49, United States Code, is amended by striking ''$85,507,500 for the 6-month period beginning on October 1, 2008.'' and inserting ''$171,000,000 for fiscal year 2009.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. LEWIS) and the gentleman from Ohio (Mr. TIBERI) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. LEWIS of Georgia. Mr. Speaker, I ask unanimous consent to give Members 5 legislative days to revise and extend their remarks on House bill 1512.

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

There was no objection.

Mr. LEWIS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1512, the Federal Aviation Administration Extension Act of 2009, extends the financing and spending authority for the Airport and Airway Trust Fund.

The trust fund taxes and spending authority are scheduled to expire on March 31, 2009. This bill extends these taxes at current rates for 6 months, through the end of the fiscal year on September 30.

Failure to act on this bill would mean that the taxes expire and the trust fund would lose revenues that are necessary to finance future airport construction projects and updates to the air traffic control system. It would also prevent the FAA from spending funds that are already in the trust fund, shutting down the Airport Improvement Program and critical airport construction projects around the country.

I know the importance of our air transportation system. The Hartsfield-

Jackson Atlanta International Airport, located in my congressional district, is the world's busiest passenger airport. In 50 years the number of passengers traveling through that airport has grown from 2 million to almost 80 million a year. The airport has a direct and indirect impact on the economy of over $20 billion. We must make sure that the taxes are extended and the FAA remains funded. It is critical to our economy and the safety of all of our passengers.

The bill also extends a number of authorizing provisions that are under the jurisdiction of the Transportation and Infrastructure Committee. All of those provisions were also extended last September in the same bill that extended the expiring tax provisions. This bill will keep the Airport and Airway Trust Fund taxes and operations in place until a long-term FAA Reauthorization Act is signed into law.

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

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

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

Mr. TIBERI. Mr. Speaker, I rise in support of H.R. 1512.

As the gentleman from Georgia said, this is a straightforward bill to provide a 6-month extension of the various excise taxes that support the Airport and Airway Trust Fund as well as the trust fund's expenditure authorities. These taxes and authorities are currently scheduled to expire at the end of this month, and today's legislation will permit Congress the time it needs to consider a longer-term FAA reauthorization bill.

As the ranking member of the Select Revenues Subcommittee, I'm pleased that Chairman RANGEL has asked our panel to examine tax issues related to the transportation trust funds, including the Airport and Airway Trust Fund. I certainly look forward to working with Chairman NEAL, Chairman LEWIS, and all the members of our committee over the months ahead as we determine whether modifications to the financing structure of the Airport and Airway Trust Fund are warranted going forward. Ways and Means is clearly the appropriate committee of jurisdiction regarding these tax issues, and I anticipate working with other members of the Ways and Means Committee of both parties to ensure that our committee continues to shape the FAA reauthorization process this year.

I would note for my colleagues that under the CBO baseline, expiring excise taxes that are dedicated to a trust fund are assumed to be extended at current rates for budgeting purposes. Consequently, the Joint Committee on Taxation is expected to score H.R. 1512 as having no revenue effect, Mr. Speaker, no revenue effect, just as it has with similar short-term extensions of FAA taxes in the past. While many Members on our side of the aisle would argue that CBO and Joint Tax should make that same assumption about expiring tax cuts as well, that's a bigger debate for another day.

For now it's important that we all extend the current FAA excise taxes on a temporary basis, and I am pleased to join with my colleagues from the other side of the aisle and Chairman LEWIS in support of this legislation.

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

Mr. LEWIS of Georgia. Mr. Speaker, I fully support House bill 1512. I urge my colleagues on both sides of the aisle to vote ''yes'' for this bill.

Mr. COSTELLO. Mr. Speaker, I rise today in support of H.R. 1512, the Federal Aviation Administration (FAA) Extension Act of 2009. I want to thank Chairman RANGEL and Ranking Member CAMP for bringing this to the floor today, as well as Chairman OBERSTAR and Ranking Members MICA and PETRI.

Earlier this month, the Transportation and Infrastructure Committee marked up H.R. 915, the FAA Reauthorization Act of 2009, a long-term authorization of the Federal Aviation Administration's (FAA) programs. It should be to the House floor in the coming weeks. However, until H.R. 915 is signed into law, it is imperative that we not allow FAA's critical programs to lapse.

The Aviation Trust Fund is currently operating under a short-term extension that expires on March 31, 2009. To that end, H.R. 1512 would extend not only the aviation taxes and expenditure authority, but also Airport Improvement Program (AIP) contract authority, until September 30, 2009.

H.R. 1512 also provides an additional $1.95 billion in AIP contract authority, resulting in a full-year contract authority level of $3.9 billion for fiscal year 2009. These additional funds will allow airports to proceed with critical safety and capacity enhancement projects, particularly larger projects that require a full-year's worth of AIP funds to move forward.

Mr. Speaker, aviation is too important to our nation's economy—contributing $1.2 trillion in output and approximately 11.4 million U.S. jobs—to allow the taxes or funding for critical aviation programs to expire.

Congress must ensure that this extension passes expeditiously to reduce delays and congestion; improve safety and efficiency; stimulate the economy; and create jobs. I urge my colleagues to support the bill.

Mr. PETRI. Mr. Speaker, in September 2007, the House considered and passed the FAA Reauthorization Act of 2007, H.R. 2881. That legislation reauthorized the FAA for four years.

Unfortunately, the Senate was unable to come to an agreement on its bill, and so in September 2008 Congress extended the Federal Aviation Administration's (FAA) funding and authority for a fifth time.

That extension will expire on March 31, 2009, so today we are considering another extension.

H.R. 1512 would extend the taxes, programs, and funding of the FAA through September of 2009.

This bill——

Extends FAA Funding and contract authority for 6 months;

Funds the Airport Improvement Program at $1.95 billion through September 2009;

Extends the War Risk Insurance program; and

Extends the Small Community Air Service Development Program.

H.R. 1512 will ensure that our National Aviation System continues to operate until a full FAA Reauthorization can be enacted.

As I have indicated many times since the passage of the House FAA Reauthorization bill back in 2007, we need to pass a long-term bill so that we can meet the growing demands placed on our nation's infrastructure. Modernizing our antiquated air traffic control system and repairing our crumbling infrastructure need to be at the top of our priorities.

As we begin the 111th Congress, there is still much work to be done. This 6-month extension gives us time to improve H.R. 915, the ''FAA Reauthorization Act of 2009,'' which was introduced by Chairmen OBERSTAR and COSTELLO last month and approved by our Committee earlier this month.

As we move toward Floor consideration of the FAA Reauthorization bill, I look forward to working with my colleagues to address ongoing concerns with some of the provisions in H.R. 915.

I also urge our colleagues in the other body to take up a comprehensive FAA reauthorization package as early as possible this year.

I support this extension as the best alternative to keep the FAA and the National Airspace System running safely until we can take up and pass a bipartisan and bicameral bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. LEWIS) that the House suspend the rules and pass the bill, H.R. 1512.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

IN SUPPORT OF THE FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2009

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

Mr. OBERSTAR. Mr. Speaker, the Ways and Means Committee under Chairman RANGEL was so efficient, they completed action on the extension bill for the FAA authorization before I could reach the House floor from a hearing the Committee on Transportation and Infrastructure is holding on the next-generation aviation technology for FAA, and I wanted to be here to thank the chairman, Chairman RANGEL, and the ranking Republican for moving the bill quickly and without dispute or without a recorded vote.

But I want to supplement those comments by observing that the Committee on Transportation and Infrastructure has done its work. In the last Congress, we reported the 4-year authorization for FAA, but the other body didn't act on it. So we quickly moved our bill with bipartisan support through committee March 5, just earlier this month, to extend, with a great

many improvements and upgrades in the operations of FAA, and provide authority for the next-generation technology. Again, the other body is not prepared to act.

Now, the reason we need an extension through the end of this fiscal year is to avoid disruption in the Airport Improvement Program. If we have a stop-and-go, 3-month extension and another 3-month extension, then the funding for the airport grants for increasing capacity on the air side of airports would stop and go as well. That's not good public investment strategy.

But I regret that we have to do this. The other body simply is not ready to move ahead with full consideration of the bill. We should be able to do that in a matter of days. Unfortunately, they are not ready to do that. And I just want to make it clear that the Committee on Transportation and Infrastructure, in partnership with the Committee on Ways and Means, is ready to do the job of the House in moving the agenda forward and continuing the modernization of the Air Traffic Control System, rebuilding the air traffic control workforce, and investing in the hard side of airports, and we will continue to do that. We stand ready. Although our patience is running out, we await the administration's proposals for the future revenue stream for the FAA and the Air Traffic Control System.

□ 1045

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 968

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 968. My name was added in error.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 1388, GENERATIONS INVIGORATING VOLUNTEERISM AND EDUCATION ACT

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 250 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 250

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1388) to reauthorize and reform the national service laws. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of this rule is for debate only. I yield myself such time as I may consume.

GENERAL LEAVE

Ms. MATSUI. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 250.

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

There was no objection.

Ms. MATSUI. Mr. Speaker, H. Res. 250 provides for consideration of H.R. 1388, the Generations Invigorating Volunteerism and Education, or the GIVE Act, under a structured rule. The rule provides 1 hour of general debate controlled by the Committee on Education and Labor.

The rule makes in order 11 amendments which are listed in the Rules Committee report accompanying the resolution. Each amendment is debatable for 10 minutes except the manager's amendment, which is debatable for 30 minutes. The rule also provides one motion to recommit with or without instructions.

Mr. Speaker, I rise today in support of a vital piece of bipartisan legislation that directly affects all of our communities and the lives of millions of Americans.

Legislation that strengthens our communities helps educate our future generations, teaches our youth to prepare for and respond to unthinkable tragedies and fosters the growth of respect and compassion throughout our entire society.

The GIVE Act will help launch a new era of American service and volunteerism. The bill answers President Obama's call for Americans of all generations to help get the country through the economic crisis by serving and volunteering in their communities.

The GIVE Act reauthorizes, for the first time in 15 years, our country's investment in community service and volunteerism. As a cochair of the National Service Caucus, it is a pleasure to call attention to the tremendous work of those involved at every level and in every program of the corporation.

Service programs not only help each of our communities but also provide training that could lead to future careers. Many individuals who are involved in service at a young age continue in public service careers and in service programs throughout their lives.

Mr. Speaker, service and volunteerism are the bedrock of emergency preparedness and national security. In times of strife, the American people have always shown a spirit of service and ingenuity. Investing in service and volunteer programs prepares us to handle any crisis.

We must focus on building our national capacity, and harnessing the enterprising spirit of the American people is a good way to do so. In the wake of a catastrophe, a first responder is likely to be a civilian. A neighbor is likely to be the first one to provide assistance. By building up our service and volunteer programs, we are taking proactive steps to bolster our national security and capability to weather a disaster now and in the years to come.

We saw firsthand the importance of having trained volunteers in the wake of the 2005 hurricanes, Katrina and Rita. These forever changed thousands of lives and communities in the gulf coast. We also witnessed an outpouring of support and compassion from individuals who were touched by this immense tragedy.

Following the devastation in the gulf coast, more than 92,000 national service volunteers contributed over 3.5 million hours of work to the recovery effort. They repaired neighborhoods. They rebuilt lives.

Since September of 2005, over 4,070 National Civilian Community Corps—or NCCC—members have served more than 2.1 million hours in the gulf coast on over 830 relief and recovery projects. Through programs such as AmeriCorps State and national, Volunteers in Service to America—or VISTA—and NCCC,

servicemembers address critical needs in our communities.

AmeriCorps and NCCC members are disaster trained and available for immediate deployment in the event of a natural disaster anywhere within the United States, just as they were to the gulf coast.

In fact, NCCC teams have responded to every national disaster, including the recent fires in my home State of California. Disaster relief and emergency response now accounts for over 60 percent of the NCCC portfolio. Over $42 million worth of hurricane recovery resources have come from AmeriCorps and NCCC alone, which is millions more than we have spent on the entire program nationwide. This is a clear return on our investment.

These exceptional young men and women are especially trained in disaster preparedness and organizing local volunteers into an effective recovery operation. These programs continually put more back into the community than we put into them. The GIVE Act shows Congress' support for their heroic and continued efforts and ensures these programs continue for years to come.

The GIVE Act of 2009 will strengthen the emergency preparedness and response training of our country's NCCC participants. The changes will also help the program continue to grow.

The legislation expands the scope of NCCC to specifically include disaster relief, infrastructure improvement, environmental and energy conservation and urban and rural development.

The GIVE Act also establishes four new service corps, including a Clean Energy Corps to encourage energy efficiency and conservation measures; an Education Corps to help increase student engagement, achievement and graduation; a Healthy Futures Corps to improve health care access; and a Veterans Service Corps to enhance services for veterans.

This bill includes a Call to Service Campaign to encourage all Americans to engage in service and to observe September 11 as a National Day of Service and Remembrance.

The bill seeks to tap the growing pool of baby boomers reaching retirement that wish to continue serving their country and provides real alternatives to traditional employment at a time when jobs are scarce. The GIVE Act also seeks to engage our future generations in lifetimes of service. Engaging young men and women is vitally important. The Education Awards, which will be increased in this bill, encourage our youth to apply the skills that they learn at volunteerism to a successful education and the lessons they learn in school to improving their communities.

The GIVE Act specifically seeks to make a difference, not only by the services that are provided but by who we are engaged in serving. It seeks to exponentially increase the numbers of disadvantaged and at-risk youth participating in service. Each one of these valuable young men and women will take the respect and compassion that they learn at service programs back to their schools and to their families and be a seed of inspiration amongst those who need it most.

We cannot pass up the opportunity to better our future generations. Service programs provide an opportunity to give our youth the most valuable lesson of all, positive personal experience.

Mr. Speaker, as a result of the great work of AmeriCorps members, extraordinary things are happening all around America. The corporation supports such important nonprofit organizations as Habitat for Humanity, City Year and the American Red Cross.

National service participants have built homes, healed wounds, worked in national parks and taught elementary school kids. These volunteers are part of the backbone of our country. With very little funding, service participants leverage millions of dollars and perform crucial work in classrooms and in areas of our Nation hit by disaster.

The service programs and new initiatives in H.R. 1388 help address some of our Nation's toughest problems, from poverty and unmet education needs to natural disasters. Just this week, The New York Times and the Wall Street Journal pointed to the rise in the number of volunteers nationwide. Many who have been laid off or are in between jobs have joined volunteer programs to stay connected to their community and learn new skills. Some have even benefited by gaining employment through their work as volunteers.

The GIVE Act will expand these opportunities as well as health care access, provide seniors with help living independently, enhance services for veterans, and help build a clean, green, energy-efficient economy.

As a result, I hope that my colleagues will support the rule and the underlying legislation. The spirit of service has been renewed at a time of economic challenges, and it is time for our government to foster a continued dedication to our country's prosperity through national service.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my friend from California (Ms. MATSUI) for the time, and I yield myself such time as I may consume.

It can sometimes seem that we are surrounded by news of selfishness and greed. I think, very appropriately, and I will discuss this later, the American people are outraged by an example of really cynicism intertwined with greed in this AIG example. More about that later.

However, those individuals, those few individuals, those cynics who utilized taxpayer dollars to give out bonuses for AIG, those really few individuals, Mr. Speaker, when you think about it in comparison to the myriad of individuals who really commit themselves to the service of others through volunteerism, those who serve are a beacon of compassion and hope for us all. Community service is one of the most gratifying, rewarding, fulfilling ways people can spend their time and their efforts.

Community service has always been a vital pillar of American society. It's one of the things that distinguishes the United States and exalts the American people.

Volunteers all over the United States dedicate millions of hours to their contemporaries in the hope of making people's lives better. Through their selfless work, volunteers help improve the lives of millions of Americans. In 1993, the Congress, with my support, passed legislation creating AmeriCorps and the Corporation for National and Community Service to administer and coordinate Federal service community programs.

Since then, almost 500,000 Americans have served with thousands of not-for-profit organizations, public agencies and faith-based organizations nationwide.

□ 1100

These citizens tackle many unmet needs in our communities. They provide for our youth through tutoring, mentoring, and after-school programs. They provide for the disadvantaged by building homes for the needy and reaching out to misguided youth. They conduct neighborhood patrols; they care for our environment; respond to disasters, engage citizens in public, health, safety, and emergency preparedness services. And they support those who have served and continue to serve our Nation in the Armed Forces by meeting the needs of our Nation's veterans, active duty servicemembers, and their families. They do, oftentimes, exemplary work.

The underlying legislation, known as the Generations Invigorating Volunteerism and Education Act, referred to as the GIVE Act because of its initials, will reauthorize the national service programs administered by the Corporation for National and Community Service. This reauthorization sets the goal to recruit 250,000 volunteers for AmeriCorps by 2014. It will also create service opportunities for middle school and high school students through the Summer of Service program.

The legislation emphasizes the critical role of service in meeting the national priorities of emergency and disaster preparedness, and it will help improve program integrity.

I am pleased that the committee, the Committee on Education and Labor, worked in a bipartisan manner to reauthorize this program and to include provisions that will make the programs more effective and efficient, responding to State and local needs with performance orientation.

It goes to show, Mr. Speaker, that when there is a willingness to work together and to negotiate, we can bring

forth good pieces of legislation with bipartisan support.

I know the majority is trumpeting this rule with which we bring this underlying legislation to the floor because it will allow Members to debate all of the amendments that were submitted to the Rules Committee by Republicans. And that's appropriate. Nevertheless, I remind my colleagues the majority does this when the underlying legislation is uncontroversial.

Even though the majority promised to be the most open Congress in history, if the majority is so proud of this rule, then they should allow a more open process when controversial bills come before the floor as well.

I urge Americans everywhere, regardless of whether they take part in AmeriCorps, to volunteer and give back to their communities. The rewards are extraordinary to both the volunteer and to the community. As Winston Churchill said, ''We make a living by what we do, but we make a life by what we give.''

I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to my good friend, the gentlewoman from Ohio (Ms. SUTTON).

Ms. SUTTON. I thank the gentlewoman from California for the time and for her leadership on this bill. I also want to thank my good friend from across the aisle, Mr. DIAZ-BALART, for his thoughtful words about this bill and about the amazing character of the American people to serve and reach out to others in their communities through volunteerism.

This bill, Mr. Speaker, will unite Americans during these challenging economic times through service and volunteerism in our communities. And I am pleased that this Congress is moving swiftly to reauthorize and expand national service programs managed by the Corporation for National and Community Service.

I am particularly supportive of two initiatives that are included in this bill that I sponsored in the last Congress.

The first proposal requires the Corporation to conduct a study to identify specific areas of need for displaced workers, and to identify how existing programs and activities carried out under our national service laws can better serve displaced workers and the communities affected by plant closings and job losses.

Communities in Ohio and across our Nation are being devastated by the economic downturn, and it's essential that we support new opportunities for Americans who have lost their jobs through no fault of their own.

Our workers who have toiled for so long in manufacturing plants have unique skill sets and leadership capabilities that can be of great value when utilized through service projects.

In Ohio, we face an unemployment rate of 8.8 percent. I eagerly look forward to seeing how new service programs like this will help us help our displaced workforce.

The second proposal requires the Corporation to consider whether an area has a mortgage foreclosure rate greater than the national average when considering grant applications from States and other eligible entities.

Ohio has been particularly devastated by the mortgage crisis and ranks 10th in the Nation in home foreclosures. According to recent statistics, my congressional district is projected to have over 5,000 foreclosures in the coming year.

In a time when so many of our communities are struggling, we need to pursue every avenue available to make sure that the cities and towns with the greatest needs have access to the assistance that we can provide.

Mr. Speaker, this legislation will go a long way to energize and create new opportunities for Americans to build confidence and assist in our country's recovery.

I urge a ''yes'' vote on the rule and the underlying bill.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my pleasure at this time to yield 5 minutes to a distinguished colleague from the Rules Committee, who has brought to our committee great wisdom and tenacity, the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague from Florida for his gracious comments. It's a joy to serve on the Rules Committee. It's a joy, actually, to serve with all the folks on the Rules Committee. I am learning a great deal. We have some very talented people on that committee.

I do have to say, though, that I disagree with many of my colleagues about this rule and about this bill. I appreciated the comments that have been made. I particularly appreciate my colleague giving the definition from Winston Churchill because I use that definition often when I write volunteers to congratulate them on what they do.

To quote it again, ''We make a living by what we do, but we make a life by what we give.'' The word ''give'' is the important word here.

I looked up the definition of volunteer, and it says ''a person who voluntarily offers himself or herself for a service or undertaking.'' The second definition is ''a person who performs a service willingly and without pay.''

What this bill does is expands dramatically the government's role in an area that I don't think the government should be dealing with. Our colleague from Ohio just said this is an opportunity for people who have lost their jobs. Well, I think it's important that we encourage volunteers, but this is a paid job.

This is a government-authorized charity. And it concerns me a great deal because I see our taking over what is being done voluntarily by people—this, and in the budget. The President wants to tax people who give money to volunteer organizations and to charities. He says that's okay because the government's going to pay it.

We're pretty soon going to have a government that controls everything in our society. That's not what America is all about.

When de Tocqueville came here in the 1800s—and he is quoted over and over—he said he never saw a society with so many associations. Those are voluntary associations. We have Ruritan clubs, Civitan clubs, Rotary clubs. They do their work without pay. That is what America's all about.

What we are doing is creating a 1984 because we're setting up paid volunteers. That's not what America's about.

Someone sent me an e-mail last night and said we need to give this GIVE Act a new name: People Audaciously and Insidiously Demanding Vituperously Outlandish, Laughable, Unsustainable, Needless, Totally Egregious and Extortionary Recompense Act, or the PAID VOLUNTEER Act. That is what this is all about.

That is not what America is all about. We need to be encouraging people to be volunteers and not be paid for it.

The other concern that I have is that there is no accountability in this bill. The Learn and Serve program that is already in existence was rated the lowest rating possible—not performing; results not demonstrated by OMB's Program Assessment Rating Tool.

Yesterday, in the committee, the gentleman from the Education Committee made a big deal about the fact that these programs are going to be evaluated by PART. But they've already been evaluated, and they've been evaluated as basically no good and as wasting money.

The AmeriCorps National Community Corps Program was rated as a low rating, of not performing, and ineffective by OMB's PART program. OMB defines a rating of ineffective as programs not using your tax dollars effectively. Ineffective programs have been unable to achieve results due to a lack of clarity regarding the program's purpose or goals, poor management, or some other significant weakness.

Well, ladies and gentlemen, Mr. Speaker, it is very difficult to establish evaluation programs. I know. I was in education for a long, long time. It is difficult to do that. These programs are not establishing credible evaluation programs. We demand that of our education programs, we demand it of teachers. No Child Left Behind has the most egregious kinds of evaluation programs that we hear about all the time.

Here, we are spending $27,000 dollars per person; $27,000. In North Carolina, I think we are spending about an average of $7,000 dollars per child in public education. That may not be the most up-to-date figure, but it's something like that. And here we are going to pay $27,000 dollars per person for these volunteers? What about that?

I know that probably hospitals in my community and other groups that use

volunteers extensively don't spend hundreds of dollars for volunteers, let alone $27,000.

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

Mr. LINCOLN DIAZ-BALART of Florida. I yield an additional 2 minutes.

Ms. FOXX. I thank the gentleman for yielding additional time. As I said, one of my concerns is here we are in a time when we need to be looking at every single dollar we spend. I take that approach every day. I don't care if the Federal Government is flush with money, we should be very careful with every penny we spend.

The American public are watching us like never before. And here we are, about to put these programs out. One of the concerns I had, too, is how the people are going to be counted. Again, where is the evaluation?

In the rule that was adopted yesterday, it said that this bill adds language to promote community-based efforts to reduce crime and recruit public safety officers in the service opportunities.

Well, I wonder if every community-watch program in the country, which can have hundreds of people in them who do very little, but they perform an important service for their community. They may be assigned an hour a week to do something. Are they going to be part of these 250,000 volunteers? That's not at all clear. But I have a suspicion they're going to be counted if they can get to that magic number. And they will say, Look, we have 250,000 people.

But the effectiveness is not being gauged, and I think this is a tremendous waste of money where we could be doing this for a lot less.

Ms. MATSUI. Mr. Speaker, before I yield to my next speaker, I'd like to make a couple of comments. First of all, we aren't paying volunteers, we're supporting an infrastructure that removes barriers to service. We're making volunteers more accessible and more effective by creating an infrastructure in which everyday citizens can volunteer and be effective, without having resources, prior experience, or formal training.

Also, one of the GIVE Act's major themes is to increase transparency and accountability in national service programs, particularly in showing program outcomes. Section 179 of the Act establishes performance measures for each national service program and a framework for ensuring that Federal dollars go to high-performing programs.

With that, I yield 3 minutes to my fellow Rules Committee colleague, the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Today, I rise in support of the Generations Invigorating Volunteerism and Education, the GIVE Act, and the rule. I thank Chairman MILLER for his leadership in introducing this bipartisan comprehensive legislation, which answers President Obama's call to launch a new era of national service and volunteerism.

I'd also like to thank Congresswoman MCCARTHY for her efforts as chairwoman of the Healthy Families and Communities Subcommittee to expand opportunities for all.

□ 1115

The GIVE Act's new programs, expanded capacity, meaningful incentives, and innovative approaches will allow us to come together and rise to the challenges we face. It also represents a historic call to action that reaches out to all Americans from all walks of life and asks them to commit to service.

During these difficult times, our Nation needs the help of each and every one of us more than ever. The generosity, energy, and goodwill of the American people has fueled our Nation throughout its history and seen us through our darkest hours. If we want to restore our economy, rebuild our schools, and revitalize our neighborhoods, we must once again draw on this powerful spirit of service that pervades the American psyche. The GIVE Act harnesses the power of America's two greatest natural resources, our ingenuity and our work ethic, to generate a new era of national service.

More than 15,000 of my fellow Coloradans are strengthening our communities, helping others, and serving unmet needs in our neighborhoods through 147 national service projects in our State: more than 9,000 in Senior Corps, 2,500 in AmeriCorps—and I have had the opportunity to work with a number of AmeriCorps volunteers in our schools—and 4,200 in Learn and Serve America. This legislation will allow even more Coloradans to participate by creating thousands of new opportunities to volunteer and offering training in green energy products, veterans services, and community services across the communities, health and wellness initiatives as well.

As a former chairman of our Colorado State Board of Education, I am particularly pleased with the establishment of the Summer of Service program which will engage middle and high school students in volunteer activities in their communities. The Youth Engagement Zones will capitalize on the largely untapped energy of American youth, especially disadvantaged high school students and out-of-school youth, and put them to work in service of our communities.

Again, I applaud the efforts of all those involved in the crafting of this historic bipartisan legislation, and encourage our body to pass both the rule and the bill.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my pleasure to yield 5 minutes to a brilliant new Member of this House who is already leaving a mark on Congress by facing the important issues of our day, Mr. PAULSEN of Minnesota.

Mr. PAULSEN. I thank the gentleman for yielding and appreciate his leadership as well.

Mr. Speaker, I understand that my colleague from Florida will offer my legislation to help recoup the $165 million in taxpayer dollars that were paid out as AIG bonuses as part of the previous question.

Mr. Speaker, when the latest unemployment figures came out and were released earlier this month, America saw its jobless rate soar to over 8.1 percent. That is the highest percentage that we have seen in over 25 years in the United States. This equates to approximately 12.5 million Americans who are currently out of work. Against this grim backdrop, AIG has announced that it intends to pay out $165 million in bonuses to its employees, with a number of those employees receiving more than $3 million. To date, $55 million in Federal money has been used to pay AIG employees directly. Additionally, AIG expects to see total bonus payouts to its financial products division increase by nearly $15 million over the next year.

Mr. Speaker, most troubling is that this $165 million comes directly out of the nearly $170 billion that U.S. taxpayers have given to AIG over the last 8 months. In only 8 months, $170 billion.

In early March, AIG announced a corporate loss of nearly $62 billion. That is the single greatest quarterly loss in U.S. history of any corporation. While Americans are struggling to put food on the table, I wonder if they are going to be able to ever see the repayment of their investment in the companies that they are participating in, companies like AIG who are paying bonuses, which is the height of irresponsibility. This money belongs to the American public. It does not belong to the executives at AIG. So I, like my constituents, am shocked. I am shocked at the corruption, especially when AIG's actions come at the expense of America's public. To pay bonuses which in some circumstances can be as high as $6.5 billion is really antithetical to what the U.S. Government should stand for and the very reason the U.S. Government was lending this money in the first place. Allowing AIG to spend taxpayer money on paying these bonuses can only be seen as reckless incompetence.

The legislation will do three things:

Number one, it is going to require that the Treasury Department recoup all of the bonuses that have been paid.

Number two, no more excuses. It will require the Treasury Department and the Treasury Secretary to sign off on any future bonuses with his signature.

And, number three, it would require the Treasury Secretary to sign off on any future contracts as a part of any ongoing TARP legislation. That is where accountability is needed for the American taxpayer.

Mr. Speaker, we were sent here by our constituents to bring accountability back to government and protect the taxpayers from reckless spending. I strongly urge my colleagues to do just

that. They should vote ''no'' on the previous question.

We have a chance to do this today, Members. This is the issue of urgency today. This is nothing but bad government incompetence. It is not acceptable for the Treasury Secretary to throw his hands up in the air and walk away from this. Congress should act today. We should move forward, vote ''no'' on the previous question, and defeat the rule so that we can consider this very important legislation.

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

Mr. LINCOLN DIAZ-BALART of Florida. At this time it is my privilege, Mr. Speaker, to yield an additional 2 minutes to Dr. FOXX of North Carolina.

Ms. FOXX. Again I thank my colleague for yielding me this time.

It is interesting. I had intended to say something about this sounding to me like AIG in many ways. I didn't realize that my colleague from Minnesota was going to say that when he got up to speak. But I wanted to point out the purpose of this program as stated in section 1201. It is to: Support high-quality service-learning projects that engage students in meeting community needs with demonstrable results, while enhancing students' academic and civic learning; and build institutional capacity, including the training of educators, and to strengthen the service infrastructure. That is the purpose.

When you get over in the evaluation section, it is pretty nebulous. One of the interesting things that I find is that they are saying that if the program doesn't perform, if they received assistance for less, they mean fewer, than 3 years, and is failing to achieve the performance measures, then they give them technical assistance. They give them technical assistance for 3 more years, and then they make some decision about whether they are going to continue funding the program.

I think we are setting up AIG programs all over this government. We just happen to know about AIG because of the egregious situation that has come up. But we have a potential AIG program right here. We are funding these people. We have no way to evaluate it. The expectations are not set out to begin with, and that is a great failing in this program.

So I can tell you that if we examine this program closely, we could show at least as much or maybe more money being abused by this program than is being used by AIG. The American people should be up in arms about all of these programs that we are funding from which we get no value.

Now what we are getting, we are employing a lot of bureaucrats, a lot of bureaucrats at high salaries. I call that high-priced welfare. But we are not getting a good return on our investment, just like we haven't gotten a good return on our investment from AIG.

Ms. MATSUI. Mr. Speaker, before I yield to the next speaker, let me just say this is not AIG. The bill on the floor today is the GIVE Act. And to compare AIG to the GIVE Act is absolutely, astoundingly ridiculous.

With that, I yield 3 minutes to my good friend, the gentlelady from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I had the pleasure this morning of visiting with a number of youngsters from the Youth Build Program. They participated with Mrs. Obama yesterday in building a home.

It is interesting, when you speak of the words GIVE, that you can equate it to an organization such as AIG that simply takes. So I rise today to support the rule and the underlying bill. And let me explain to you what this means to America.

How many of us can raise our hand and say that we understand what USAID means, or we understand what the Peace Corps means or AmeriCorps? And how many countless hours of youthful enthusiasm did we see after Hurricane Katrina? I know, because I am from Houston, Texas, and the thousands and thousands of survivors and evacuees that came, we were inundated, rightfully so and enthusiastically so, by these volunteers and by these workers from these many different aspects.

Unregulated? No. Much of this will be volunteer service. Much of this will be educating people about service. Much of this will be doing what young people across America have asked us to do: Give them something to do. And that is what this bill intends.

I am delighted to have joined as a cosponsor in the recent days. I am delighted to have been able to work on a specific amendment that is incorporated in the bill that reaches out to the underserved like Historically Black Colleges and Hispanic Serving Colleges, because America is a potpourri, it is a mosaic of so many different people with so many different histories, people who are already bilingual, who can speak to people who are in need, refugees, people who are fleeing oppression. There are so many different aspects of letting young people help other young people or young people help children.

As the cofounder of the Congressional Children's Caucus, this bill specifically provides for enhanced community services with AmeriCorps, Learn and Serve America, VISTA, the National Civilian Community Corps, and Senior Corps.

Mr. Speaker, this is the right direction for America in the 21st century. Be reminded that we ask not what this country can do for us. We don't equate AIG's insensitivity to the American taxpayer to this bill that gives everybody the opportunity to say, what can I do for my country, America the beautiful? That is what this bill is all about.

I am so proud to stand alongside of this kind of legislation, because as our military forces are on the front lines, I want Americans to be able to stand on the front lines of this Nation, helping those who cannot help themselves. That is what this GIVE bill is all about. And I think we need to go around with a GIVE Bill button like I have got the Youth Bill button saying, Yes, We Can.

Mr. Speaker, I rise today in strong support of H.R. 1388, the ''Generations of Invigorating Volunteerism and Education Act or the 'GIVE Act'.'' I would like to thank my colleague Congresswoman MCCARTHY for introducing this important legislation, as well as the Chairman of the Committee on Education and Labor, Congressman GEORGE MILLER, for his leadership in bringing this bill to the floor today.

Mr. Speaker, this legislation will expand the already highly successful volunteer programs that empower community activists and improve the education and economic conditions of cities throughout the United States. It supports and increases funding for key community services programs, including AmeriCorps, Learn and Serve America, VISTA, National Civilian Community Corps, and Senior Corps.

The GIVE Act creates opportunities for green jobs that will contribute to energy conservation and environmental protection. It will create critical educational opportunities for disadvantaged youth and will create incentives for students to improve their communities.

Every year, more than 70,000 Americans participate in the AmeriCorps program alone, which provides relief to cities during natural disasters and reinvigorates communities. Over 50 million American volunteers build homes, organize food-drives, and improve schools through national service programs. The GIVE Act will broaden the opportunities for students and activists to participate in national service via education rewards that keep up with soaring costs of universities and Summer Service programs. After Ike and Katrina, thousands of local students worked to help rebuild communities and provide necessary services to distressed families. The GIVE Act is the critical lynchpin in sustaining this civic activism.

Specifically, the GIVE Act would expand the job opportunities for Volunteers in Service to America, or VISTA, to re-integrate youth into society, increase literacy in communities through teaching opportunities in before and after-school programs, and to provide health and social services to low-income communities. VISTA is a critical step toward poverty alleviation, and the GIVE Act will equip it with the resources to fulfill its obligations.

I am pleased to see that my colleague, representative CUELLAR, revised the legislation to increase the number of volunteers from 75,000 to 250,000 members and added provisions for unemployed individuals to be included in the national service workforce, a step that will be a critical step to combating the employment crisis afflicting millions. I am also pleased that Congressman MILLER further specified that the increase in volunteers is not just designed for AmeriCorps, but for all national service programs such as the Peace Corps and Opportunity Corps, and also included language to promote community based efforts to reduce crime and recruit public safety officers.

In addition, the GIVE Act will create 4 new service opportunities including a Clean Energy Corps, an Education Corps, a Healthy Futures

Corps, and a Veteran Service Corps. These volunteer opportunities will further improve environmental protection, health-care access, and services for veterans. These new service corps will address critical concerns in low-income communities. I am very happy that Congressman TEAGUE revised the legislation to aid veterans in their pursuit of education and professional opportunities, and help veterans with the claims process, and assist rural, disabled, and unemployed veterans with transportation needs. Moreover, the GIVE Act will recognize colleges and universities that are strongly engaged in service through grants and rewards that will in turn improve educational access in the United States.

I am pleased to see the retention of my language from the 110th Congress that gives special consideration to historically black colleges and universities, Hispanic-serving institutions, Tribal universities, and colleges serving predominantly minority populations. So strong are these universities' support of service, that "veritas et beneficium," or "truth and service" in Latin, is inscribed on their insignias.

The GIVE Act will create a Campuses of Service Program that will encourage and assist students in pursuing public service careers. It will also focus on recruiting scientists and engineers to keep America competitive for years to come. The Act will expand the Senior Corps as a way to keep Older Americans including seniors engaged in public service, and will create a Youth Engagement Zone to increase the number of young students in volunteer services.

Moreover, it expands the focus of The National Civilian Community Corps to include disaster relief efforts and infrastructure improvement to allow quicker and more effective responses to disasters like Katrina and Ike that devastated numerous communities in the United States. Finally, the Give Act will launch a nation-wide Call to Service Campaign that encourages all Americans to engage in national service and to recognize September 11th as a National Day of Service and Remembrance.

I am honored to cosponsor this legislation that will add service before self to America's future leaders. I urge my colleagues to join me in supporting this legislation.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the gentleman for yielding.

I intend to vote "no" on the previous question on this particular rule. I don't have any big problem with the rule, but it is my understanding that Mr. DIAZ-BALART will, if it is defeated, offer an amendment to the rule that will address a topic that isn't the subject of the GIVE Act, but the AIG bonuses.

Yesterday, the country was roiled by the fact that a company that has received $175 billion has handed out to 73 individuals bonuses of $1 million or more. Multiple pieces of legislation were introduced yesterday to put a stop to it. We see a lot of gnashing of teeth on the other side of the Capitol like, "How could this happen? We didn't know it happened." We have some Senators introducing bills to tax these bonuses at 100 percent. But, Mr. Speaker, we know how this happened, and yesterday we filed legislation and Mr. DIAZ-BALART's amendment would move the process along. In deference to the gentlelady who just spoke, we can chew gum and walk at the same time. We can consider the GIVE Act and we can also talk about the Nation's economy, which is critical.

But we know that when the stimulus bill was passed, there was an amendment offered, a bipartisan amendment, by Senators WYDEN and SNOW that would have said that if there are in fact these egregious bonuses—and think about it for just a minute. You run a company into the ground and participate in causing the greatest economic crisis since the Great Depression, and you get millions of dollars in bonuses. I would like that job, and a lot of people that I represent would like that job.

There was a provision in the stimulus bill that would have said that if you give out these egregious bonuses, there is going to be an excise tax of 35 percent. It goes to conference. All of a sudden, that provision is then gone, and what is inserted in section 111, paragraph 3(iii) is that: No bonus that was agreed to or negotiated prior to February 11 will be subject to this restriction.

Does anybody think that the bonuses that were just given out that were the subject of a CNN report on January 28 was negotiated after February 11? It is ridiculous. They knew it was going to happen. They let it happen. And now that the public has somehow said we don't think this should happen, we have a lot of finger-pointing going on on Capitol Hill.

Yesterday, I filed a Resolution of Inquiry directing the Secretary of the Treasury to hand over all of the documents leading up to why this transpired, why it was permitted to transpire. And we hear the Constitution being bandied about. "We can't interfere with contract law." I am going to tell you, since the beginning of this Congress, the 111th Congress, if you are an auto worker, even though you had a contract to make X number of dollars to build automobiles in this country, we violated those contracts and said let's cram those down if you want to get Federal assistance.

□ 1130

If you lied on your mortgage application when you went to the ABC bank, and they gave you a $100,000 mortgage, and they said, "you lied to get that mortgage," we just passed a piece of legislation that says, "we don't care if you lied. If you get in financial trouble, we are going to cram down the mortgage, and you don't owe the bank $100,000 anymore."

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

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman 30 additional seconds.

Mr. LATOURETTE. Clearly, those are contracts. We can mess with those contracts. We can mess with people that are working hard every day. We can mess with people that lend money so people can have the American Dream of homeownership. But we can't mess with 73 people who directed a company into near bankruptcy and needed $175 billion of my constituents' money and your constituents' money. But that is okay. We can't mess with those contracts.

Please defeat the previous question and support Mr. DIAZ-BALART's amendment.

Ms. MATSUI. Mr. Speaker, I just want to say that both sides of this aisle are absolutely outraged about what happened at AIG, absolutely outraged. We agree with you on that, definitely. And we will be taking action immediately. In fact, I have been informed that we will be having a Rules meeting this afternoon. But let's get the GIVE Act through. Let's do the rule on this and move forward.

With that, I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, first yielding myself such time as I may consume, I'm very happy that we have gotten the message to the majority leadership and that they have set a Rules meeting, we have just been informed, for 3 p.m. to address this issue. It shows that the rules protect the minority and that the minority can bring issues of great importance to the American people and get the attention of the majority. So I'm glad that the majority will be addressing this at 3.

But we don't have to wait until 3. It is 11:30. We can address it now. And then after we address it—we are not saying that we won't pass the GIVE Act. But let's address at 11:30, not at 3 in the Rules Committee, this issue that is of great importance to the American people.

I yield 2 minutes to my friend, Dr. FOXX, from North Carolina.

Ms. FOXX. Mr. Speaker, again, I thank my colleague. I agree with him. I think this should be dealt with right now. This is something we very much agree on. And my colleague from California, I think, has just made the case for why this bill should not be passed. She said, let's get this on through. Let's move it through. That is the same thing we heard about the stimulus: We don't have time to wait; we have got to move this on through.

Every time the majority wants to get something passed that ought not to be passed, they are ramming it through. That has been the whole story of this session.

I just want to share with you from the White House OMB, Washington, ExpectMore, their program assessment of the AmeriCorps National Civilian Community Corps. It says, "not performing, ineffective, the program has never conducted a comprehensive evaluation. Compared to other AmeriCorps service programs, this program is very

costly. Performance goals are not measurable.''

Ladies and gentlemen, and Mr. Speaker, these are not my words. These are coming from OMB. We know the program is not effective, and we are going to be spending $3 billion. With AIG, the contention is $165 million. It is a pittance compared to the money that is going to be spent on this program. And the program says ''and such sums.'' That, ladies and gentlemen, means any money they want to spend. It is open-ended. They can spend anything.

I want to say, again, what is happening here is that we are confusing government work with public service. Yesterday our colleague from the Education Committee said, ''well, this program gets kids in middle school, it moves them into high school and moves them into that, and eventually they get a government job.'' We are teaching people to go to work for the government through this program. What a shame. Shame on us. This country was not built on working for the government. It was built on volunteering and on the private sector. We are taking this country over with the government.

Ms. MATSUI. Mr. Speaker, I have no further speakers.

I inquire of the gentleman, does he have any speakers?

Mr. LINCOLN DIAZ-BALART of Florida. I'm ready.

Ms. MATSUI. So you're ready to close.

I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, the rule before us brings to the floor the GIVE Act, which is a bill to reauthorize the National Service programs. And the majority on our side supports that. I support that legislation. It is a good piece of legislation. It has the support of the ranking member of the Education and Labor Committee, and we are in support of the underlying legislation.

What we are saying, though, is that—and by the way, I reiterate that I'm pleased that we have caught the attention of the majority leadership and that they have convened a rules meeting for 3 p.m. to deal with the issue of AIG, the outrage of the AIG bonuses. At a time when the Federal Government is propping up AIG with over $170 billion in taxpayer funds, it is unconscionable that AIG is giving its executives bonuses, some of them which are over $1 million.

That is why today I will be asking for a ''no'' vote on the previous question. We don't have to wait until a rules meeting and then who knows when they will bring to the floor—if they do—legislation. We don't know what it will say.

What I'm saying is that right now we can amend this rule and allow the House to consider H.R. 1577, a bill by my colleagues, Representatives PAULSEN and LANCE, that will require that the Treasury Department implement a plan within the next 2 weeks to recoup the AIG bonuses. And in order to prevent another bonus controversy, the bill will require that any future bonus payments from TARP funds be approved by the Treasury Department in writing, including any contractual bonus obligations.

Now, Mr. Speaker, Americans are rightfully upset over the use of taxpayer funds to give executives million-dollar bonuses. They expect the administration will keep a watchful eye on the proper use of bailout funds. Just 2 weeks ago, the President's spokesman said that they were confident that they knew how every dime was being spent at AIG. Well, obviously, Mr. Speaker, that doesn't seem to be the case. That is the reason that I am calling for Members of this House to vote ''no'' on the previous question.

The Paulsen-Lance legislation is just another example of how the responsible and vigilant opposition, the Republicans, we are working to provide transparency and oversight of taxpayer funds in the TARP program. We must demand that the administration provide proper accounting of TARP funds. Americans deserve to know how their tax dollars are being utilized.

Now, if Members support transparency and oversight of taxpayer funds in the TARP program, then they should vote ''no'' on the previous question.

Now, our friends on the other side of the aisle said they have discovered the issue, and they are calling a rules meeting at 3 p.m. to deal with it. We don't know what they are going to be bringing forward. But we have brought forward legislation. Our colleagues have filed legislation, Representatives Paulsen and Lance, to deal with this issue today and to require the Treasury Department to recoup those unconscionable bonuses within 2 weeks. And we should vote on it today.

So I urge my colleagues to vote ''no'' on the previous question and to make a statement: Enough is enough. Enough of these bailouts so that millionaires can become billionaires and billionaires can give their cronies bonuses with taxpayer dollars. Enough is enough. And we can vote on it right now, Mr. Speaker.

By the way, we will vote on the amendment on the legislation with regard to volunteerism. This does not negate that. But before, we must and we should address the issue of the unconscionable bonuses by defeating the previous question.

I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, this reauthorization, the first in 15 years, takes programs and infrastructure that touch so many lives and builds off its foundation to greatly increase the quantity and improve the quality of service that we, as a Nation, work to provide.

National Service is a proven return on our investments. With this bill, we will broaden those involved in service across the country, and in doing so, foster the values of civic engagement and duty that can change a life and a community.

This bipartisan legislation is truly a win-win for all those involved and for our country. It makes excellent improvements to an already successful Corporation for National and Community Service. It improves access and support for organizations and grant applicants, and most importantly, reassures our valued servicemembers that Congress supports them and their work in our communities.

I urge a ''yes'' vote on the previous question and on the rule.

Mr. CARDOZA. Mr. Speaker, I thank my good friend from California, Ms. MATSUI and I also thank her for her passion and dedication to increasing our country's commitment to community service and volunteerism.

Mr Speaker, I rise today in support of the rule and the underlying bill, the Generations Invigorating Volunteerism and Education Act.

As we all know, our country is at a significant crossroads of the likes we've never known. And my own district has been hit like no other.

My district is saddled with the nation's highest foreclosure rates and drops in home equity, unemployment rates approaching 20 percent, my dairy farmers are in crisis, and we have the worst drought in a century.

There is an unmistakable feeling of despair in every coffee shop I visit. My constituents are hurting and need help getting through this economic crisis.

But beyond the housing, infrastructure, and other assistance to stimulate my district's economy, we will surely benefit from the countless Good Samaritans who are willing to answer our country's call to service and help communities most in need.

To that end, I proposed two amendments to ensure that the hardest-hit areas of the country such as mine would not be overlooked.

All told, my amendments added home price declines as an eligible criteria; defined ''severely economically distressed areas'' to include staggering foreclosure rates, home price declines, and unemployment rates; and most importantly, waived the matching grant requirements in economically distressed areas where it is impossible to raise any local funding.

And thanks to my good friend from Texas, Mr. CUELLAR, the ''distressed areas'' definition was further expanded to include areas that lack basic needs such as water and electricity.

Together, these changes put the hardest-hit districts such as mine on the volunteer map. And it will give us the ability to enlist a cadre of willing volunteers to provide my constituents and my community with the support and assistance they need to overcome these trying times.

I would like to thank my friend and fellow Californian, and Chairman of the Education

and Labor Committee Mr. MILLER—and his staff—for supporting my proposals and including them in the manager's amendment.

Mr. Speaker, the fact remains that these are tough times for our country. But with opportunities like this where we can tap the American spirit, promote community service, and come together to give those in need a hand up, I know we will be able to rebuild our communities, recover from this economic disaster, and come out stronger at the end of the day.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

At the end of the resolution, insert the following new section:

SEC. 2. Upon adoption of this resolution, the House shall, without intervention of any point of order, consider the bill (H.R. 1577) to require the Secretary of the Treasury to pursue every legal means to stay or recoup certain incentive bonus payments and retention payments made by American International Group, Inc. to its executives and employees, and to require the Secretary's approval of such payments by any financial institution who receives funds under title I of the Emergency Economic Stabilization Act of 2008. The bill shall be considered as read. All points of order against the bill are waived. Notwithstanding clause 1(c) of rule XIX, the previous question shall be considered as ordered on the bill to final passage without intervening motion except (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 221, nays 182, not voting 28, as follows:

[Roll No. 131]

YEAS—221

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baird
Baldwin
Bean
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Richardson
Ross
Rothman (NJ)
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sestak
Shea-Porter
Sherman
Shuler
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—182

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kosmas
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Paul
Paulsen
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen

Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—28

Baca
Becerra
Berman
Boustany
Cardoza
Costa
Cuellar
Gonzalez
Grijalva
Gutierrez
Hinchey
Hinojosa
Lucas
Luján
Miller, Gary
Napolitano
Olson
Ortiz
Pastor (AZ)
Reyes
Rodriguez
Roybal-Allard
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Serrano
Sires
Velázquez

□ 1214

Messrs. WILSON of South Carolina, WITTMAN, GOODLATTE, BARTON of Texas, BRADY of Texas, YOUNG of Alaska and Mrs. BACHMANN changed their vote from ''yea'' to ''nay.''

Messrs. BERRY and RUSH changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained at the White House today and was not present for votes on the Motion on Ordering the Previous Question on the Rule for H.R. 1388 (rollcall 131). Had I been present, I would have voted "yea."

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

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

RECORDED VOTE

Ms. MATSUI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 248, noes 174, not voting 9, as follows:

[Roll No. 132]

AYES—248

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

NOES—174

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—9

Boustany
Cardoza
Costa
Gallegly
Hinchey
Lucas
Miller, Gary
Olson
Sanchez, Loretta

□ 1227

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 1388.

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

There was no objection.

GENERATIONS INVIGORATING VOLUNTEERISM AND EDUCATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 250 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1388.

□ 1228

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1388) to reauthorize and reform the national service laws, with Mr. PASTOR of Arizona in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. GEORGE MILLER) and the gentleman from Pennsylvania (Mr. PLATTS) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. GEORGE MILLER of California. I yield myself 4 minutes.

Mr. Chairman, today we consider legislation that is vital to the spirit of America and to our future. A few weeks ago, President Obama called on Congress to quickly deliver legislation that will launch a new era of American service.

Today the House will answer that call. The GIVE Act will help our country get through these crises and recognize that service is a deeply ingrained and deeply valued American trait.

I want to thank all my colleagues on the committee on both sides of the aisle for their support of this legislation.

We consider this bill at a time when our Nation faces enormous challenges. Families are losing jobs, health care, child care and other key services. Schools and colleges are seeing their budgets evaporate. Our public needs are growing while the resources to meet them are disappearing.

This legislation will make Americans part of the solution in getting our country back on track. Service is the lifeblood of this country. We have seen this throughout our history. In times of crisis, Americans stand up. Americans give back.

We saw it during World Wars I and II, when the Red Cross helped soldiers and their families and returning veterans, and later relief efforts during the Great Depression. We saw this after 9/11 when our citizens, young and old, sprung into action to help their fellow neighbors.

We saw it in the wake of Hurricanes Katrina and Rita when volunteers on the ground were there before the Federal Government. They were beacons of hope amidst serious despair. Today volunteers continue to play a huge role in gulf coast relief efforts. We have seen it in my State of California when communities were ravaged by floods, by earthquakes and wildfires.

We saw it this last June in the floods that devastated homes and businesses in southeast Iowa. Even before the storms came, volunteers were there. To date, AmeriCorps has coordinated over 800,000 volunteer hours in Iowa.

Volunteers play many roles. They teach in our classrooms. They clean up our trails and our public lands. They build and weatherize homes. They shelter the homeless and feed the hungry. That's what Americans do for one another. That's what Americans do in the name of service.

They learn skills. They teach others those skills so they can not only participate with Habitat for Humanity but they can develop a career ladder in the construction trades. They pass on those skills to others in communities so communities can help build, help build stronger communities and better homes to be weatherized and to be energy-efficient.

They tutor our children. They mentor students in school. They help our community. They build our communities. They strengthen our communities. We have seen them come from all walks of life, from young students who want to give to their community, who want to participate, to senior citizens who continue to take their skills and their talents from their working life and repatriate them back to the community and helping others, the next generation after them.

Our generation was called by President Kennedy to do this. This generation is being called by President Obama to do this, and millions of Americans are answering the call and preparing others to answer that call. This is what strengthens our communities. This is what builds our communities. This is what makes America, America.

People do it, some for a small stipend, some for an educational benefit, some for free. They come from all different places on the compass to help Americans in our communities.

There is a huge focus in this legislation, from middle school to senior citizens, to tying this to a benefit for education. Young students in middle schools can earn a small educational benefit that they can redeem when they go to community college or to the university.

For students, for young people who work full time in AmeriCorps, they can earn a stipend of almost $4,700, $4,800 that they can redeem to help pay for their college education. Senior citizens too can get a stipend and get help for education if they want to continue their education.

It's a very important piece, and it's about American values. It's about the value of education, it's about the value of Americans helping one another, it's about how we treat our communities. That's what AmeriCorps has done.

We have an organization that has been building homes in Louisiana after Hurricane Katrina in St. Bernard Parish, and today they will welcome their 200th family back to a home, a gift from the community, from volunteers in America, to those families that were ravaged, that lost everything.

That's what this bill will enable more Americans to do. That's what this bill will do for our communities.

I reserve the balance of my time.

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

Mr. Chairman, I rise in support of H.R. 1388, the Generations Invigorating Volunteerism and Education Act, the GIVE Act, which will strengthen and reauthorize America's national community service programs. After 16 years, this reauthorization is certainly overdue.

In 1973, Congress passed the Domestic Volunteer Service Act, DVSA, to foster and expand voluntary service in communities while helping vulnerable and disadvantaged populations, such as the elderly and the poor. DVSA also authorized the National Senior Volunteer Corps, made up of the Foster Grandparents Program, the Senior Companion Program and the Retired and Senior Volunteer Program.

Seventeen years later, Congress passed the National and Community Service Act, NCSA, of 1990. NCSA aims to address unmet human, educational, environmental and public safety needs as well as to renew a sense of civic responsibility by encouraging citizens to participate in national service programs. Authorized under NCSA are Learn and Serve America, AmeriCorps State and National Grants and the National Civilian Community Corps.

Both DVSA and NCSA are administered by the Corporation for National and Community Service, and both laws were most recently amended in 1993 by the National and Community Service Act. While authorization of appropriations for both of these laws expired at the end of fiscal year 2006, the programs have remained funded through annual appropriations measures.

I am pleased to have worked with the chairman of the Education and Labor Committee, Chairman MILLER, with my subcommittee chairwoman, CAROLYN MCCARTHY from New York, as well as the distinguished ranking member of the full committee, BUCK MCKEON of California, on crafting the GIVE Act, and believe that the bill makes commonsense improvements to our Nation's national service programs. Not only does it provide increased flexibility for States but it also increases accountability and efficiency within the administration of the programs.

H.R. 1388 strengthens existing community and national service programs by providing year-round service opportunities for students and the elderly alike, and further encourages volunteer involvement by disadvantaged youth.

This legislation also expands eligibility requirements for senior-focused programs such as Foster Grandparents and the Senior Companion Program, ensuring that individuals with an interest in serving have options available to them. Finally, I am pleased that the legislation reorganizes AmeriCorps activities into several different corps focused on national areas of need such as education, health care, clean energy and veterans.

In recent years, natural disasters such as hurricanes in the South as well as the wildfires in California have showcased the important efforts of AmeriCorps and NCCC volunteers. I am proud to support this effort to strengthen national service programs and to ensure that participants can continue to aid disadvantaged and needy populations.

Mr. Chairman, I hope all Members will join me in supporting the GIVE Act.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield myself 15 seconds.

I want to thank Congressman PLATTS and Congressman MCKEON for all their cooperation, and for the staff on the minority side, because without their cooperation, I don't think we would be here today. I want to thank them.

At this time I want to recognize for 3 minutes subcommittee Chair CAROLYN MCCARTHY from New York who has been an absolute driving force on this issue of national service and thank her for all of her work.

Mrs. MCCARTHY of New York. I would like to thank Chairman MILLER for his leadership and dedication to national service and for moving this important bill towards passage.

Also Ranking Member MCKEON, and certainly my good friend on the Subcommittee on Healthy Families and Communities, Mr. TODD PLATTS, I would like to thank them for all the work they have done, and also the staff. This is a bill that has been put together for over a year and a half, and they have worked tireless hours.

Last month President Obama stood in this Chamber and called on Congress to pass legislation that would inspire a new generation of service and volunteerism in our Nation. Serving our fellow citizens for the sake of the service itself has become a hallmark of who we are as Americans.

Beginning with President Roosevelt's Civilian Conservation Corps and continuing with President Kennedy's creation of the Peace Corps and more recently programs like AmeriCorps, our Nation has time and again shown that Americans respond when they are needed. Mr. Chairman, I want to say that over the process of this last year and a half, so many different groups that have already been serving this country have come forward with new ideas, new suggestions, and we have put that all into this bill.

The GIVE Act is a piece of legislation, in my opinion, that is going to change, again, the way we as Americans work together. After World War II we had the veterans that came home and gave so much to this country to make it what it is. In this bill, we are reaching out, from students in middle school all the way through to our seniors and our retirees who have done so much to improve people's lives.

We have programs in here that are going to basically help with our energy. We have mentoring programs. We have programs for our veterans coming home to help other veterans get accustomed to being home again and helping them find jobs and also to see service.

I have to say, for those who have disabilities, we are bringing them into the fold now, too, so they can work with other students that might have disabilities and to help them.

Mr. Chairman, this is a bill that in my opinion is going to change the communities around this country. We have always seen Americans stand together any time there was an emergency. We saw that during, unfortunately, Hurricane Katrina. We have seen it after 9/11. We have seen it in so many tragedies.

This is going to encourage those that have been trained to continue with their service, to be there, the first responders, when neighbors need help.

Mr. Chairman, this is a bill that Republicans and Democrats alike should support. There is no name on this on who should be part of this. This is a bill that could actually get this country up and going. We all know that we are facing terrible times during this economic downturn. I happen to believe that we will come out of it fully. I happen to believe that Americans will come together and make this a better country. This is our opportunity.

I encourage everyone to vote for this bill.

Last month, President Obama stood in this chamber and called on Congress to pass legislation that would inspire a new generation of service and volunteerism in our nation.

In calling for a national service bill, President Obama has renewed the spirit of a practice in our country that is as old as the Union itself; the call to public service.

Americans have developed an extraordinary tradition of public service and volunteerism.

Serving our fellow citizens for the sake of the service itself, has become a hallmark of what it means to be an American.

Beginning with President Roosevelt's Civilian Conservation Corps and continued with President Kennedy's creation of the Peace Corps and more recent programs like AmeriCorps, our nation has time and again shown that Americans respond when they are needed.

No statement has put the sentiment of Americans' willingness to serve better than when President Kennedy told a generation to "Ask not what your country can do for you, but what you can do for your country."

Public service and volunteerism provide the means through which Americans can give back to their communities while gaining the tools they need to achieve their own goals.

The GIVE Act will create a framework to develop national service programs that will improve their communities and enrich the lives of all of those who answer the call to serve.

The GIVE Act contains important provisions that will help strengthen communities and provide real opportunities for Americans to serve in meaningful ways.

The bill before us, which builds upon last year's GIVE act, will help thousands of Americans who choose to serve our communities.

I am proud of the focus the bill places on providing opportunities for disadvantaged youth, strengthening mentoring programs, increasing service opportunities in cities and urban centers for vets and people with disabilities.

This bill creates 175,000 new service opportunities for Americans.

Under the GIVE Act volunteer and service opportunities are made available to people of all ages.

The bill puts an emphasis on service-learning efforts, establishing programs to engage kids of all ages, middle school, high school and college.

For middle school and high school students, there are opportunities through the Summer of Service service-learning program to earn an award to pay toward college expenses and serve in the summer months when school is out of session. Priority is given to programs enrolling middle school students.

The bill makes high school students part of the solution to challenges faced in their communities by establishing Youth Engagement Zones. These programs will help bridge partnerships between community based organizations and schools in high-need, low-income communities to engage high school students and out-of-school youth in service learning to address specific challenges their communities face.

I am proud that this bill contains an important focus on disadvantaged youth.

By providing the right types of outlets, young people coming from difficult circumstances will have a chance to lift themselves up through service.

In addition to strengthened efforts in our middle and high schools, the bill also recognizes outstanding institutions of higher education which engage in service learning through the Campuses of Service.

The bill will help students by linking the full-time education awards to the maximum authorized Pell Grant award amount for the first time, in order to keep up with rising college costs.

It will also engage more retirees to volunteer, particularly those who have backgrounds in the science, law enforcement and military professions to help in afterschool programs.

This will give thousands of older Americans the opportunity to share their knowledge and skills for the benefit of their communities while offering young people guidance and support.

We establish Silver Scholarships and Encore Fellowships to further expand service opportunities for older Americans.

Encore Fellows are individuals, age 55 or older, that want to transition into a second career in the public or nonprofit sector and who agree to be placed with a nonprofit organization to carry out service projects in specified areas of national need.

Silver Scholarships give individuals age fifty five or older who complete five hundred hours of service in a year an education award of one thousand dollars.

To focus on addressing the nation's most pressing needs, the GIVE Act establishes a Clean Energy Corps to encourage energy conservation in low income communities, an Education Corps to help improve graduation rates, a Healthy Futures Corps to increase access to healthcare, and a Veterans Corps that will help provide services to those brave Americans that have already served our nation.

What the GIVE Act will do is to build a national infrastructure for service and volunteerism and makes an historic investment in way our service programs are administered.

Just as we did in the last Congress the bill expands the focus of the National Civilian Community CORE (NCCC) to include disaster relief.

It was NCCC members who answered the call when disasters such as Hurricane Katrina occurred and this bill recognizes how important it is to have trained folks on the ground during a disaster by allowing members engaged in disaster relief to extend their service term if necessary.

The bill focuses on building our national service participation while providing much needed streamlining to reduce administrative burdens.

One of the concerns I have heard during this process was that currently there is not enough consultation between the Corporation, States and local government.

This can result in local program needs not being addressed when national service plans are being developed.

This bill requires states to ensure outreach to local government such as cities and counties when preparing national service plans.

Better outreach will result in being able to target program funds to where the local folks think they need to go.

I am also pleased that this bill includes an investment in mentoring partnerships.

I would like to thank Rep. SUSAN DAVIS for her hard work on this issue.

Youth mentoring programs can have a profound effect on efforts to increase both the quality and quantity of mentoring opportunities available to America's young people.

In my home district, we have the Mentoring Partnership of Long Island and they do terrific work getting students connected with successful mentoring programs in Nassau County.

Finally, the bill includes a requirement that the Corporation conduct a nationwide "Call to Service" campaign to encourage all of our nation's citizens to engage in service.

I worked with my colleague from New York, Rep. PETER KING, on this provision.

As part of this campaign, Americans will be urged to observe September 11th as a National Day of Service and Remembrance.

It is important that Congress work together to continue to build on America's traditions of public service and volunteerism.

The GIVE Act creates a path through which we can help ourselves by helping others.

We need to work to create more volunteer and service opportunities by finding more ways for more Americans to become stewards of public service—and the GIVE Act does exactly that.

We have worked for years to develop a comprehensive service program in this nation.

We have the opportunity to do something truly significant with this bill, which is to make a cultural change in the way we relate to our community and support each others needs.

As a young woman I was inspired by President Kennedy's call to public service.

Today, a new generation is being called on by this Congress and President Obama to contribute to the strength of our nation by engaging in public service and volunteerism.

The GIVE Act is a once in a generation bill that will change the fabric of our nation for generations to come and I call on all of my colleagues to enthusiastically support this groundbreaking legislation.

Mr. PLATTS. Mr. Chairman, I yield such time as he may consume to the distinguished ranking member of the full committee, Mr. MCKEON from California.

Mr. MCKEON. I thank the gentleman for yielding, and I rise in strong support of H.R. 1388.

Neighbors helping neighbors. This happens countless times every day across America. A college student teaching English to immigrants, a Boy Scout troop collecting canned food for the hungry, families taking in neighbors who have lost their homes in floods or tornado or fire.

Mr. Chairman, the bill before us today, aptly named the GIVE Act, encourages the selfless actions I just described by updating decades-old national service programs to make them even more effective in the 21st century.

H.R. 1388 allows for year-round service learning opportunities. It also offers a new emphasis on emergency and disaster relief and recovery. Finally, it offers increased opportunities for baby boomers, a generation known for its social activism.

But I would like to inform my colleagues of one fact that has not been given much attention. This bill includes powerful new safeguards to protect taxpayers by making the service programs more accountable and performance based. The bill also makes the programs it funds more competitive to ensure efficiency and effectiveness. In addition to H.R. 1388, individuals can receive Federal funding to serve at organizations of their choosing.

Of course, to prevent fraud, these organizations will be closely examined. But after such screening, part of the funds the bill provides will be dedicated to those people who believe they can make the greatest difference at small organizations.

And yet this bill also addresses national needs. For example, this proposal adds a new Veterans Corps, giving people who served in our military a chance to serve their Nation once more and a chance for our Nation to serve them. Through the Veterans Corps, veterans and others can help the families of servicemembers through their hardships and aid fellow veterans as they readjust to civilian life.

Finally, this bill makes disaster assistance a priority. It allows the Corporation for National and Community Service to develop a system to quickly mobilize former participants, if they are needed. It also allows people to extend their service if their term has run out in the middle of a disaster.

I would like to thank Chairman MILLER, Subcommittee Chairman MCCARTHY, Ranking Member PLATTS and our staff for such an excellent job to work together to craft this bill.

This is the way legislation should be passed, and I think it has been an example, and I wish all bills were passed in this manner.

You know, we have been hearing a lot in the last couple of days about AIG and about the bonuses that were made to leaders of that company, a company that would not even be in existence if it were not for the Federal Government and the taxpayers that bailed them out.

The stimulus package that was passed was the last attempt that would have been able to stop those bonuses. There was an amendment in there, and I know the Senator that's credited for that amendment, he says he didn't know about it, or didn't have part in it. That could have been taken care of if we had what was promised to us, 48 hours at least, to review that bill, or if we had worked together in a bipartisan way to craft that bill.

□ 1245

I'm sorry that that did not happen. Because of that, we have found now a terrible tragedy has taken place, and I hope that we will be able to correct it. But it could have been avoided if we had just simply worked, as we did on this bill, in a bipartisan way to see that that never happened.

Mr. Chair, I support this bill because Americans who give their time, talent, and compassion to others clearly can help our Nation. And we, as their representatives, should help them.

Thank you. I ask all of our colleagues to support this bill.

Mr. GEORGE MILLER of California. I yield 1½ minutes to a gentleman who's been key in this legislation, given his background and history in energy conservation and efficiencies and weatherization, the gentleman from New York (Mr. TONKO).

Mr. TONKO. Thank you, Mr. Chairman. The GIVE Act before us responds to President Obama's call to service for our Nation's volunteers to help move our country forward by launching a new era of service during these challenging economic times.

Certainly, there are many new corps established in this legislation; amongst them, Clean Energy as a corps. Those members will be able to work in their given communities providing valuable services that range from retrofitting housing for low-income households to improving their energy efficiency outcomes; to building energy-efficient housing in low-income communities; conducting energy audits for low-income households; and to installing renewable energy technologies, amongst other things.

This energy improvement will be an empowerment to the given communities. I am fortunate to have thriving programs in my Capital District region of New York State. Amongst them are the Self Advocacy Association of New York, conducted through the auspices of an organization in Schenectady. They deal with those of the developmental disability community that enable them to provide for self-advocacy for people with disabilities. Also, the Capital District RSVP, which places retired people in projects that address the needs of their community, where we have over 1,200 volunteers providing over 250,000 hours of service.

Mr. Chair, this is an exciting bit of legislation. It allows us to utilize volunteer power that has been a tradition with this Nation. It dispels loneliness and despair, it builds a sense of dignity and hope, and certainly, as they do that, they will deliver services, very valuable services, to the doorstep of their communities.

Let it be said that volunteers are the muscle of America.

Mr. PLATTS. I yield such time as he may consume to the ranking member of the Ways and Means Subcommittee on Social Security, the distinguished gentleman from Texas (Mr. SAM JOHNSON).

Mr. SAM JOHNSON of Texas. Today, we're debating the merits of paying volunteers. Experts estimate this bill will cost the government about $1 billion for just 1 year.

I've got a better idea. Let's redirect just a small portion of that money to the real volunteers—those who voluntarily serve in the Armed Forces. They volunteer to wear the uniform. There is no draft. Some volunteer their limbs, their lives. Surely, these folks deserve special treatment too. Not so, says the White House.

The White House has floated a plan to save the government $540 million. The White House will cut costs by forcing wounded warriors to pay for their own treatment. Talk about the cost of war!

As a combat-wounded fighter pilot who served in two wars, I find the White House idea of charging wounded war heroes for care absurd, abhorrent, and unconscionable.

It's sad and shameful that the administration is willing to force our combat wounded to foot the bill for their own recovery and rehab.

I will fight like mad to stop this rash and reckless proposal and back a new resolution blasting the White House plan. I urge every American who loves freedom and supports the troops, why don't you just call the White House at 202–456–1414.

Tell the President those who voluntarily choose the Armed Forces and voluntarily serve in harm's way, voluntarily leave their loved ones, and voluntarily endure enemy fire, are the absolute last people we need to hit up to balance any budget.

Again, that number is 202–456–1414. Tell the White House that forcing veterans to pay for the cost of war out of pocket is just plain wrong. Our troops fight, they lose legs, they lose arms. Support the troops.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, one of the very exciting parts of this legislation, as pointed out by Mr. MCKEON, is the full integration of our veterans into national service.

Today, earlier, we heard from Captain Scott Quilty, who is a decorated infantry captain and Army major retired who lost both his legs and one of his arms in Iraq. Scott has come back to assume the management responsibilities for Survivor Corps, a U.S.-based program that serves the needs of servicemembers and veterans returning from Iraq and Afghanistan. And Survivor Corps spoke in strong support of this legislation, recognizing that we now are extending full partnership to the veterans of this country, thanking them for their services, and providing services to them as they return home.

I yield 1½ minutes to a leader in service, the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Chairman, I want to thank Chairman MILLER, my good friend, for yielding time. Mr. Chairman, I rise in strong support of H.R. 1388, the GIVE Act. People are hurting. Americans are having to choose between paying their mortgages and putting food on the table. In these tough times, it's more important than ever that we, as American citizens, yield back to those in need.

National service becomes ever more important when people are hurting, when people are in need. We need to do more to show our appreciation to people who get out there, they get in the way, they stand up, they speak up, they speak out. They work hard to get their hands dirty helping their neighbor.

The GIVE Act is a great step forward for national service. However, we also need to make the AmeriCorps Education Award, in my estimation, tax exempt. We need to do more to encourage and reward Americans who answer the call of national service. It is a call that we responded to in 1961 when President Kennedy issued a call for the Peace Corps. And it is a call now in 2009 when President Barack Obama is urging national service.

I urge all of my colleagues to support national service and vote ''yes'' on this important piece of legislation.

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

Mr. GEORGE MILLER of California. I yield 1½ minutes to a member of the committee, a strong supporter of the bill, the gentleman from the Northern Mariana Islands (Mr. SABLAN).

Mr. SABLAN. Thank you, Mr. Chairman. H.R. 1388 answers President Obama's call to service and helps Americans invest in their communities by greatly expanding potential service opportunities and increasing educational and other benefits.

Provisions like those in the GIVE Act are especially effective in the Northern Mariana Islands. They allow our young people to help their communities while also doing something positive for themselves.

In these areas of high unemployment, community service programs like those in the GIVE Act allow participants to receive benefits, including health care, earn money for college, receive important career and technical training, make connections with potential employers, and develop confidence, self-esteem, and leadership skills.

Not just that, but participants are also able to give back to those around them, providing support for the people and communities that are suffering during these tough economic times. This is what America is all about.

We hope that this program, along with the President's call to action, strengthens our citizens' pride in themselves, their communities, and their Nation, and allows them to feel like they are truly a part of the American Dream.

For these reasons, I urge my colleagues to support H.R. 1388, the GIVE Act.

Mr. PLATTS. Mr. Chairman, I continue to reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 1½ minutes to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Chairman MILLER, Americans everywhere should thank you and they should thank Congresswoman MCCARTHY, and all of those who are part of this GIVE Act and made it happen, because it stands for a very simple and elegant proposition and purpose, and that is that if Americans want to serve, they ought to be given that opportunity.

The GIVE Act creates many different dimensions of service that Americans can pursue. I'm very proud to have worked closely with Congressman PHIL HARE in introducing the Vet Corps component of this service corps. I want to thank Chairman MILLER for working to include that in the final version of the bill.

We owe so much to our veterans. We can never fully repay the debt that we owe them, but we can try. The way we can try is to create a service corps program like Vet Corps that is going to make sure that when veterans return from their service, we have an opportunity to serve them and that they in turn can serve the broader communities and serve other military families and other veterans.

The statistics are alarming. The unemployment rate for returning veterans is as high as 18 percent. We can give them the training and the opportunity to become engaged and re-engaged in our communities through service corps programs like Vet Corps. I'm so very pleased that that is part of this opportunity here.

I'd also like to say before I yield back that I enjoyed working with Congressman JAY INSLEE on the Clean Energy Corps, which is going to provide opportunities for young people to get involved in improving energy efficiency and the green revolution.

Mr. PLATTS. I continue to reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes for the purpose of entering into a colloquy with the gentleman from Florida (Mr. GRAYSON.)

Mr. GRAYSON. Mr. Chair, I'd like to engage in a colloquy with the chairman.

Mr. Chairman, I want to thank you for working with me on increasing the number of volunteers trained and available for immediate deployment to States with high vulnerability to hurricanes and various natural disasters, like my State of Florida.

As you know, the National Civilian Community Corps is a full-time team-based residential program for men and women aged 18 to 24 that helps meet critical community needs. The mission of the NCCC is to strengthen communities and to develop leaders through direct, team-based national and community service.

Drawn from the successful models of the Civilian Conservation Corps in the 1930s and the U.S. military, the NCCC is built on the belief that civic responsibility is an inherent duty of all citizens. These members have been instrumental in assisting communities with relief and recovery needs during times of natural disasters.

According to the Corporation for National and Community Service, more than 2,900 NCCC members have served on disaster-related projects in the Gulf Coast region since September 2005, in

coordination with such groups as the Red Cross, Salvation Army, the Army Corps of Engineers, and various State service commissions.

In all, NCCC members have contributed more than 1.4 million hours of service and have completed nearly 13,000 damage assessments, refurbished more than 6,500 homes, put tarps on thousands of homes, served 1.3 million meals, and distributed more than 2,200 tons of food.

Given the critical needs that this program provides, I would like to work with you on exploring potential options to establish an NCCC campus in Florida.

Mr. GEORGE MILLER of California. I yield myself 15 seconds to respond to the gentleman and say that I agree that many of our communities' needs, especially in times of natural disaster, are being met through the hard work of the NCCC members, and I look forward to working with you in exploring this issue and certainly recognizing the needs of those States that are hit repeatedly by natural disasters, representing one of those States, but knowing what has taken place in Florida and others with hurricanes and storms that we are now experiencing. And I look forward to working with him as this bill progresses.

Mr. PLATTS. Mr. Chairman, I continue to reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

□ 1300

Ms. DELAURO. Mr. Chairman, I want to say thank you to Chairman MILLER for his commitment to this effort.

For generations, during times of great crisis, Americans have stepped up and served their country and their communities. Today, with soaring unemployment, rising health care costs, and a financial system turned upside down, we face one of those moments.

When the National Community Service Act was enacted in 1990, we saw powerful new opportunities to inspire civic engagement to transform our communities. And today, the Generations Invigorating Volunteerism and Education Act, yes, the GIVE Act, renews and enhances these opportunities by providing Americans of all ages, from middle schoolers to baby boomers, the chance to reach their full potential as engaged and active members of their community.

The Summer of Service initiative is geared toward middle school students and provides a new opening to reach many young people who we know will benefit from the opportunity to spend a summer in service in their communities, a right of passage, as students make the transition from middle to high school. Through a competitive grant program, States and localities can offer students an opportunity to participate in a structured community service program, earning educational awards of up to $500 upon completing 100 hours of service.

Research shows that, among those students who participate in in-service learning, teens from disadvantaged communities who serve hold more positive civic attitudes. Students who engage in volunteering are more likely to be successful at school and avoid risky behaviors, such as drugs, alcohol, and crime.

This legislation also provides a long-awaited increase to the Segal AmericaCorps Education Award, tying it to Pell grants to ensure that it stays in step with rising tuition rates. It will make it easier for older Americans to give back as well, to share their experience and expertise through Encore Fellowships and Silver Scholarships.

This is a transformational moment in our Nation's history. So today, with these efforts we hope to mark a new beginning, ready to meet that responsibility again to the greater good and to our shared community. I urge my colleagues to vote ''yes.''

Mr. PLATTS. Mr. Chairman, I yield such time as he may consume to the distinguished ranking member of the Homeland Security Subcommittee on Border and Port Security, Mr. SOUDER from Indiana.

Mr. SOUDER. I thank my friend from Pennsylvania, and Chairman MILLER.

I have some concerns about this bill. One of the challenges as a conservative Republican in a Congress dominated by the Democrats in the House and Senate and the President is that it is likely to be that, for most bills, we are likely to have some concerns. We lost the election, we are not writing the bills, and so therefore we are likely to have some concerns.

When the Republicans last wrote this bill, for example, we had a clause in restricting sex education money usage. It is not likely to be a use of this bill, but as a conservative I sometimes have justifiable paranoia about how liberals may use this money. At the same time, we are not the majority, we don't get to write every clause in it, and, it is not necessarily a likely use.

I also have concerns about the amount of money that the Federal Government is spending. There are going to be bills in this cycle that many Republicans who might have supported them in the past will have reservations on. We have run up in the first 2 months more additions to the deficit than we had in the first 5 years of the last administration. At some point the question is, how are we going to fund these Treasury bills? Are interest rates going to go up and drive out the private market? How is a district like is mine that is hammered, how is Elkhart County going to recover? So I have deep concerns.

Now, I understand this is an authorizing bill, not an appropriations bill. Authorizing bills merely set the cap. That leads, however, to a lot of pressure internally of, like we saw in No Child Left Behind, you are only funding X amount of a bill. No, that was a cap; that wasn't a guarantee that the funding was going to go through. So when we go through authorizing bills, does this in fact push the spending, or not?

But authorizing bills fundamentally guide the programs. And if we as Republicans say we are never going to participate because we are not in the majority and these are authorizing bills that guide the guidelines, are we going to give up both the actual spending and not participating in the authorizing process?

There are fundamental differences inside any kind of coalition of people on what the role of government should be. If you are a pure libertarian, it is unlikely that you like any of these kind of programs. Volunteers are volunteers; government employees are government employees. But if you have, as I have in the past, supported these different programs, some more than others, but basically believe that everything from the seniors' different programs to domestic volunteer groups are, as a whole, a benefit to the community, then trying to shape that as best we can and to participate I think is helpful.

In this particular bill, I want to thank the chairman for two particular amendments that we have worked with, with Congressman GRIJALVA who heads the National Parks Committee in the Resources Committee, and Congressman RUSH HOLT who has been a big supporter of the national parks, and I, who along with BRIAN BAIRD cochair the National Parks Caucus, we have worked from the Leave No Child Inside bill to this bill to try to include parks, and working with others to include not only the national parks, but other types of parks, particularly with Mr. SARBANES of Maryland in the previous bill.

But inside the Energy Corps, this will allow volunteers to work with our National Parks Service to help address backlog and maintenance issues; that whenever, particularly when you look at the type of economy we have right now, and we are coming up on the 100th birthday of the National Park Service, during the Great Depression quite frankly was one of the greatest moves toward American architecture. What we think of as a national park actually came from many of the summer jobs programs and WPA and CCC.

While this is not the same, this is a blended program, it is important that as we see whatever types of legislation goes through, even if I as a Republican have some concerns about the scope of government and the cost, I still feel that it is important that we participate in that. And one of the best uses of this is the National Park Service, which everybody benefits from, and it is an opportunity to try to address some of the backlog issues there.

There is a second part that was a program developed, Serve America, and I want to thank in this case not only

Chairman MILLER and Ranking Member PLATTS and our Ranking Member BUCK MCKEON, but Senator HATCH, in working with a clause and refining it from the first bill where we had it a larger percentage. But basically it says that one-third of the Serve America grants can go to small institutions. As somebody who has been very passionate, who believes that many of these programs which are very small, don't have good grant writers, often don't have the ability to get as much match, particularly when you get into urban centers or in some of the rural areas, particularly when you get into a lot of the African American and Hispanic church groups or volunteer groups. They aren't United Way, so how can they partake of this? This says that up to one-third of this can be used for organizations with 10 full-time and up to 10 part-time, or 20 total, employees. And then they get up to one-third of the Serve America program, and they only have to have a smaller match of roughly $1,000. This will enable lots of these small neighborhood groups to be eligible.

Now, Senator HATCH correctly pointed out, he and his staff, that maybe there won't be enough of these smaller groups. So it doesn't guarantee a third of this, but it says that up to one-third can be used this way. I think this is a diversification of this program that it is an invaluable addition, and will empower lots of people to be able to do this in this community.

So while I have some reservations, I think this is basically a good bill. It is a bill that we worked on together cooperatively, and I appreciate the opportunity to do that even in a Congress that is marked by partisanship. But it is a way to show the American people that in fact we do work together on most pieces of legislation that come through here. There are differences between our parties, but we try to work in a bipartisan way when we can.

Mr. GEORGE MILLER of California. I yield to the gentleman from Texas (Mr. AL GREEN) for 1½ minutes.

Mr. AL GREEN of Texas. Mr. Chairman, Gandhi reminds us that we should be the change we wish to see.

I want to thank the President, President Obama, for sounding the clarion call for volunteerism such that we can see this change that we all desire to have in our country. I would like to thank Chairman MILLER and Ranking Member MCKEON for answering the clarion call from the President with this bill, H.R. 1388.

This is a good piece of legislation. And, if I may be so bold as to say so, we are doing, Mr. Chairman, God's work today. This is what we are called upon to do, to be our brother's keeper, and we can do so by utilizing this army of volunteers to go out and make the change we wish to see in society.

Mr. Chairman, I especially thank you for including language in this legislation that will allow volunteers to help in the area of housing. You know and we know that we have an affordable housing crisis. We have lost more than 600,000 units in affordable housing since the mid-1990s that are subsidized. It is time for us to restock our affordable housing. These volunteers will help us to do so.

I will close with this. I thank you and all of the Members who have supported this legislation, and I trust that Gandhi would be proud of us today because we are affording people to transform neighborhoods into brotherhoods, and to make sure that we can see the change in our society and bring it about by virtue of our own hands and our creation.

The CHAIR. The time of the gentleman has expired.

Mr. GEORGE MILLER of California. I yield the gentleman 10 additional seconds, and I want to thank the gentleman for bringing the housing language that is based upon his expertise in this field, and along with MAXINE WATERS, thank you so very much. We are happy to include it.

Mr. AL GREEN of Texas. I thank you again, Mr. Chairman, as well as Chairperson WATERS and Chairman FRANK.

Mr. PLATTS. I yield 3 minutes to the distinguished gentleman from Louisiana (Mr. CASSIDY).

Mr. CASSIDY. Mr. Chairman, I wish to engage the chairman of Education and Labor in a colloquy.

Mr. Chairman, Teach for America has been in the AmericaCorps program since 1994 and is the Nation's largest professional service corps. This program recruits top college graduates of all backgrounds and career interests to commit to teach for at least 2 years in our Nation's most underserved classrooms.

To date, 20,000 Teach for America corps members have enriched the lives of more than 3 million low-income students in our Nation's lowest performing schools. While only the one in ten Teach for America corps members initially planned on a career in education, two-thirds remain in the field in some capacity. This only goes to further demonstrate the life-changing impact this kind of service can have on an individual.

Teach for America is also experiencing remarkable growth as more and more Americans look to give back to their communities. Applications are up 40 percent this year, with 35,000 people applying to serve through Teach for America alone.

Given this growth and its potential to expand and meet the needs of underserved students across the Nation, is it correct that, under this bill, Teach for America will continue to be eligible under the professional corps' description of the model for funding under the Education Corps or any of the other newly created corps programs under section 122?

I yield to the chairman of the Education and Labor Committee, and ask if this understanding is correct.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding and for raising this issue. Thank you so much for bringing this to our attention.

I am proud to be a long-time supporter of Teach for America, and I am pleased to say that they will continue to be eligible to participate in AmeriCorps through the newly-created National Service Corps exactly as you have described.

Teach for America has demonstrated measurable effectiveness in the classroom and is exactly the type of measurable success that we are looking to scale up. Thank you again, Mr. CASSIDY, for your support of this program and for raising this issue and for the support of the GIVE Act.

Mr. CASSIDY. I thank the chairman.

Mr. GEORGE MILLER of California. I yield to the gentlewoman from Pennsylvania (Mrs. DAHLKEMPER) for 1½ minutes.

Mrs. DAHLKEMPER. Mr. Chairman, service has always been a deeply rooted American value, from service to our country during times of war to service to our neighborhood in times of need. I believe that a commitment to service is one of the defining characteristics of being an American.

Service has also played an important role for my family and is a value I have tried to impart to my five children. I am so proud of my son, Nathan, who spent his time this spring volunteering in a homeless shelter in New York City. And I love our family tradition of adopting a family at the holiday season.

I have spent my life doing community service, founding and operating a Lake Erie arboretum for over a decade, and serving on the board of the Erie Community Foundation. Mr. Chairman, it is because of this background and service that I rise today in strong support of the GIVE Act.

This legislation will provide hundreds of thousands of Americans the opportunity to invest through service in our Nation's recovery. And it will not have a bigger impact anywhere than in Pennsylvania's Third District. One county in my district, Erie County, has nearly 250 different nonprofit organizations that depend on volunteers to support their work, work that improves the quality of life for the region.

Mr. Chairman, the economic recession has been especially difficult to my constituents. With lines at our food banks, and our shelters literally full, these groups take care of tens of thousands of adults and children who live in poverty.

□ 1315

Last year, the Erie County homeless shelters served 1,500 homeless individuals, 200 of which were children.

With the recession deepening, there is no better time to support community service and volunteerism to help our country get through this economic crisis, restore confidence and prepare our Nation for the future.

Therefore, I urge my colleagues to join me in supporting the GIVE Act.

Mr. PLATTS. Mr. Chairman, I continue to reserve my time.

Mr. GEORGE MILLER of California. I yield 1½ minutes to the gentleman from Ohio (Mr. DRIEHAUS).

Mr. DRIEHAUS. Mr. Chairman, I stand today on the floor to also give my support to this important piece of legislation. Mr. Chairman, I am one of four Members of this House who is a former Peace Corps volunteer. I had the privilege of serving this country in the United States Peace Corps for almost 2½ years in West Africa. I can speak on behalf of the returning volunteers in this body and the returning volunteers across this country as to the importance of service, both at home and abroad.

This is an important step in the right direction. As we ask so many sons and daughters of this country to serve in our military in Iraq and Afghanistan, I think it is critically important that we open up doors of opportunity for young men and women and older men and women across this country to also serve right here at home. Service is critically important to show that they believe in this country, to show that they believe in their community and that they are able to give back. This is an important step in the right direction.

I have had the privilege in Cincinnati of working with the Public Allies Program, an AmeriCorps program which has contributed to tremendous work for nonprofit organizations across the region. This expands that opportunity for so many more people.

Again I applaud the President for his efforts. I applaud the First Lady for shining the light on service in the United States. I want to thank the chairman and the committee for their tremendous work.

Mr. PLATTS. Mr. Chairman, I continue to reserve.

Mr. GEORGE MILLER of California. I yield now 1 minute to the gentleman from Maryland, the leader, Mr. HOYER.

Mr. HOYER. I thank the chairman for yielding. I thank Mr. PLATTS for his leadership on this bill, and I thank BUCK MCKEON, the ranking Republican who leads this committee for his party. I want to say this is a perfect example of when we can work in a bipartisan way, we do work in a bipartisan way.

Mr. Chairman, in my view what has angered so many people about this recession is the perception that its causes are not simply material, not simply financial, but in many ways moral. Ask most Americans what got us to this point, and I doubt the first words they will reach for will be ''credit default swaps'' or ''troubled assets'' or ''overleveraging.'' They will turn, I think, to older ideas—greed, recklessness, self-dealing and profit-taking. In sum, they will think there is a moral deficiency.

It follows that our economy and our recovery will not be whole if it only encompasses renewed balance sheets or consumer demand. What is also required is a renewed public spirit. Government cannot create that spirit. We would be fools to think it could. But it can recognize it, applaud it and give avenues for its manifestation. We can coordinate it and give it productive outlets. That is exactly what this bill does.

I want to congratulate the President of the United States, Barack Obama, for his leadership, and Michelle Obama for working so avidly on behalf of public service and a renewed spirit of giving to our country. Our President has not just talked about that, he has lived a life of service. I said with Chairman MILLER at a press conference just a few hours ago that Barack Obama graduated from one of the best law schools in this country. He was editor of the Law Review. He had one of the keenest minds in his class, indeed in the country. He could have made literally millions of dollars practicing law representing the most powerful interests of our country. He choose not to do that. He went to Chicago, his hometown, and he spent his time reaching out to those who needed help, those who didn't have power and those who did not have economic might, to assist them in making their lives better and their communities better.

That is what this bill does. So the principal spokesperson for this bill, President Obama, has lived it, not just talked it. We are blessed with a young generation remarkably committed to public service. This bill gives them the outlets and the opportunities to contribute to our recovery.

Mr. Chairman, I would also say there are a whole lot of seniors who have retired from their careers but don't want to retire from life, don't want to retire from their communities and don't want to retire from continuing to give service to their fellow men and women. This bill strengthens the bond between service and education by helping volunteers pay for college. It focuses volunteer efforts on our most pressing needs, including rebuilding our infrastructure and retooling our economy for clean energy and expands opportunity for volunteers of all ages, from middle schoolers to baby boomers.

In sum, this bill represents the greatest expansion in national service since the days of John F. Kennedy. He asked us to not ask what the country could do for us, but what we could do for our country. In fact, that is what our faiths ask us as well, for all of our faiths have a central theme: love God and love God's children as well. And we love God's children by giving them a hand up and helping to serve with them in making their lives better.

These new ranks of volunteers will be making tangible contributions that benefit all of us. According to House testimony from Time Magazines's managing editor, Richard Stengel, and I quote, 61 million Americans volunteered in their communities in 2007, giving more than 8 billion hours—that is billion—8 billion hours of community service worth more than $158 billion to America's communities.

In my community, we have volunteer fire companies in the southern part of my district. The cost of providing fire service in St. Mary's, Calvert and Charles Counties would be a lot higher if it weren't for the literally tens of thousands of hours volunteered by citizens who care about their communities and care about keeping us safe when fire occurs.

He continued:

''A cost-benefit analysis of AmeriCorps programs has concluded that every $1 that we invest in AmeriCorps results in $1.50 to $3.90 of direct measurable benefits to the community.''

Wouldn't it be wonderful if all of our businesses had been as successful? We wouldn't be in the pickle we are in.

Those are the material rewards of this bill. But, Mr. Chairman, I think we all know that the rewards we can't measure are far greater. They are the virtues of community and self-sacrifice, of responsibility and teamwork, of a better country and a better community. JOHN LEWIS talks about the beloved community. This bill seeks to serve the beloved community.

I urge its adoption. I thank Mr. MILLER for his leadership, I thank the Speaker for her pressing us to consider this early, and I thank Mr. PLATTS and Mr. MCKEON for their leadership and work on this bill as well.

Mr. PLATTS. Mr. Chairman, I continue to reserve my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 1 minute.

Questions have been raised about the intent of section 1705 giving the Chief Executive Officer authority to delegate specific programmatic authority to the States. In particular, strong concerns have been raised that corporation officials would use this authority to eliminate the State offices of the corporation and adversely impact the operation of VISTA and the Senior Corps.

The committee intends that the Chief Executive Officer will use this authority judiciously to improve the operation of all of the corporation's programs by using a consultative process that includes all of the stakeholders in the affected programs. The committee expects the corporation to continue the staff from State offices at an operational level that is at least equal to the current one.

I yield 1½ minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. I thank Chairman MILLER for the work that he has done on this bill.

I rise to support the manager's amendment which has language from an amendment that I have submitted. This language goes a long way to support the poor communities in different parts of the Nation, especially around the southern border.

In particular, I'm talking about adding the definition of colonias as part of

the definition of ''severely economically distressed areas'' that under this bill receive special financial consideration in the operation of national volunteer services. Colonias are found in Texas, New Mexico, Arizona and California along the border. These colonias are areas that have no water, no sewage or paving. It is almost Third World conditions, Mr. Chairman and Members of Congress, where we have to do something to help these people. Just in my area, for example, it is estimated in the State of Texas that we have over 400,000 Texans that live along the border in colonias.

This help will go a long way, and this is why the manager's amendment that includes my language gives critical financial assistance to the areas that contain colonias to facilitate the operation in support of national service programs that are working to solve many of these problems in colonias.

With this amendment, we are one step closer to helping colonias to have the basic living conditions that all Americans deserve. Mr. Chairman, I want to thank you for allowing this language to be added dealing with colonias.

I urge all colleagues to vote ''yes.''

Mr. PLATTS. Mr. Chairman, I continue to reserve.

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent to control the time for the chairman of the committee.

The CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ANDREWS. Mr. Chairman, may I inquire as to how much time we have left in general debate.

The CHAIR. The gentleman has 5 minutes. The gentleman from Pennsylvania has 12½ minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. ANDREWS. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, this bill answers the question, whose skills does America need? Every day in our districts and in our travels, we see heartrending examples of the needs of our country. There are men and women who are struggling to find a job who cannot read and write. They need a literacy coach. There are elderly people who don't see anyone come visit with them at all during the course of a week who may be sick or hungry or certainly are very lonely. They need geriatric care workers to come in, friends to come in and be with them. There are children who today after school will face a choice between the ravages of drugs and alcohol, the irresponsibility of bad personal behavior, the violence of gang warfare, and really nothing else. They need an afterschool program. They need a loving and supportive family or religious institution to help them out.

Everywhere we look in this country, there are examples of great, unmet needs. Now, many of these needs require money to meet. And this President has proposed a budget, and this Congress just enacted, and the President signed, a stimulus bill that provides great new resources toward those needs. But money will never be enough, because in addition to financial resources, we also need the spirit, enthusiasm and integrity of our people.

The answer to the question, whose skills does America need, is America needs everyone's skills, everyone's skills to move forward as a country. This legislation is supported by both the Republican and Democratic Parties and is supported by the President. We are very hopeful it will be supported by the other body in short order. This legislation provides powerful new ways for people to offer those skills that America needs. It will be open to very young Americans who want to gain the experience of helping their neighbors while helping to finance their own education. It will be open to vastly experienced Americans who have achieved success in the classroom or the lab or the military base who now want to use the lessons of that success to help their friends and neighbors.

This is a bill that unlocks the door for opportunity, not just for those of our neighbors who are in need of these services, but also for those of us who will provide those services. There is very little in life that is more fulfilling than doing a job well whose benefits reach beyond your own personal interests and values.

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The power of this bill, which is so well put together, is not its scholarship programs, although they are very needed; it is not its broad reach among the American people, although it is very desirable; it is not the track record of success that national service has already provided, although it is very admirable. The power of this bill is it provides bold new pathways for people to do right by their communities and right by themselves. I would urge a ''yes'' vote.

I reserve the balance of my time.

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

Mr. ANDREWS. I yield to the gentleman from Mississippi (Mr. TAYLOR), who has been a leader in the reconstruction efforts after the devastation in the gulf, and I am pleased to yield to him 1 minute.

Mr. TAYLOR. Mr. Chairman, I thank the gentleman. There is nothing I can say that can top the words of the gentleman from New Jersey, but I do want to use this opportunity to say what a magnificent job the AmeriCorps volunteers did down in southern Mississippi after Hurricane Katrina. They showed up almost as soon as the dust settled from the storm, and they are still there 3½ years later doing things for people who need some hope. I wanted to take this opportunity to heartily endorse this program.

Mr. PLATTS. Mr. Chairman, I yield myself the balance of my time to close.

Mr. Chairman, just again I would urge a ''yes'' vote in favor of GIVE Act. I want to again recognize both Chairman MILLER and Ranking Member MCKEON, and especially the staff on both sides, for their tireless effort and many, many hours working together in a bipartisan way to bring this bill to fruition.

The last speaker's comments about the work of AmeriCorps working in the gulf region, it is my understanding that over the last 3 years, more than 4 million hours of service have been provided through national service programs, and that is just one example of how effective these programs can be to assisting those in need. Again I encourage a ''yes'' vote in favor of the GIVE Act.

I yield back the balance of my time.

Mr. ANDREWS. On behalf of the chairman and the ranking member, we would urge a ''yes'' vote from all Members. We proudly support this legislation.

Mr. KING of New York. Mr. Chair, today I rise in support of H.R. 1388, the GIVE Act, which would encourage a new generation of Americans to answer the call and get involved in service to their communities and their country. However, there is one provision of particular importance to me and my constituents.

The GIVE Act will authorize a call to service campaign, encouraging all Americans to observe September 11th as a national day of service. As the representative of a district that lost over a hundred people on 9/11 and includes thousands more who worked in the area or were involved in cleanup efforts, I believe it is right that we as a nation honor the lives lost on 9/11 by giving back to our country.

In my district office in New York, I have hosted a blood drive on the anniversary of 9/11 and I know that many others in my home state have taken part in similar activities. I am pleased that this bill will encourage all those across the United States to join in this effort, which is important not only for the 9/11 families, volunteers, rescue and recovery workers, but for the entire country.

America came together in the aftermath of 9/11, reminding us what it truly means to be part of this great nation. By making 9/11 a national day of service, that same spirit of giving will continue in a day of remembrance, unity, and selflessness. Let us never forget the unity we felt as a nation following the tragedy of 9/11.

I would like to thank my friend and colleague Representative MCCARTHY for her work on this issue, as well as Jay Winuk and David Paine of the organization My Good Deed, who pioneered the 9/11 day of service movement. I look forward to working with my colleagues on both sides of the aisle to continue to ensure that we always remember 9/11, particularly to preserve the spirit of patriotism we all felt as Americans in the months and weeks following the attacks.

Mr. EHLERS. Mr. Chair, I rise in support of the Generations Invigorating Volunteerism and Education (GIVE) Act.

For many years, organizations in my congressional district have run excellent service programs. For example, approximately 26 AmeriCorps members serve low-income people with health care needs through the Cherry

Street Health Center in Grand Rapids, Michigan. I applaud the efforts of all of the organizations and participants that have served the needs of West Michigan and our nation.

Recently, I met with a group of seniors who were very motivated to help their community with energy efficiency projects. They gave me the idea to expand the focus of the Senior Corps programs. I am very pleased that the Education and Labor Committee accepted my amendment to clarify that activities for older adults who participate in the National Senior Volunteer Programs may include conducting energy audits, insulating homes, and conducting other activities to promote energy efficiency.

The number of participants in the Senior Corps programs will be increasing as the almost 79 million members of the ''Baby Boomer'' generation retire and look for other activities to fill their days. Many of these individuals have unique skill sets that could be put to use in helping our country become more energy efficient. Also, in the modern home, insulation and other energy efficiency techniques have become very sophisticated.

This program will provide participants with the opportunity to learn about these new methods. These participants can also pass their knowledge on to the younger generations through the relationships developed with youth, including disadvantaged youth, through the Senior Corps programs. The concept of energy efficiency provides multidisciplinary learning opportunities in math, science, and language arts—subjects that America's Baby Boomers and seniors can assist students with by using hands-on, real-world projects.

I urge all Members to support this important legislation to reauthorize our national service programs, and I encourage people of all ages to seek ways to serve our communities.

Mr. SPACE. Mr. Chair, I rise today in support the Generations Invigorating Volunteerism and Education, GIVE, Act. The GIVE Act is an important piece of legislation that is instrumental expanding AmeriCorps and increasing volunteerism in our country. I commend Chairman MILLER and Ranking Member MCKEON for their work on this critical piece of legislation.

In particular, I would like to thank Chairman MILLER for his work to include language, in the Manager's Amendment, which encourages the recruitment of youth to work in health professions in communities where there are unmet needs. This legislation is extremely important to my District, where we are facing a lack of access to health care. The recruitment of health professionals is vital to maintaining a strong, healthy country and I am grateful that the Chairman and Ranking Member recognize this as they work to enact this legislation.

Community service is a cornerstone of American society and our Domestic Volunteer Programs, which encourage individuals to meet needs of others, are critical in hard economic times such as these. National support for reauthorization and expansion of community service programs is a testament to the resolve of Americans to help those who are most in need. Again, I thank Chairman MILLER and Ranking Member MCKEON for taking the steps to expand the recruitment of youth to health care professions.

Mr. STARK. Mr. Chair, I rise today in support of H.R. 1388, the Generations Invigorating Volunteerism & Education, GIVE, Act.

The challenges we face have never been greater. Unemployment, foreclosures, inadequate health care, and dwindling retirement accounts are plaguing communities all over our country. Congress and the President are acting quickly and boldly, passing unprecedented measures to create jobs and bolster the frayed safety net.

Ordinary Americans are also rising to the challenge. They understand that this recession is not just a collection of statistics but an everyday reality for them and their neighbors. People are lining up in record numbers—for AmeriCorps, VISTA, Learn and Serve America and many other national volunteer programs—hoping to have the opportunity to contribute to their communities. Yet these organizations are turning people away because they do not have the necessary funds. This is a tragedy and a wasted opportunity. In these times of crisis, it is imperative that we make use of all our resources.

H.R. 1388 brings together America's human capital—our engineers and entrepreneurs, our students and seniors—to find new solutions to pressing community challenges. This bill will more than triple the number of volunteers in these programs nationwide to 250,000 and give people from all backgrounds the opportunity to contribute to a common purpose. In addition to improving existing service programs, the bill also creates a number of new programs that will allow volunteers to help address the energy, health care and education needs in our communities.

The GIVE Act is the right legislation at the right time. Thousands of Americans want to invest their time and their energy in the future of our nation. I urge my colleagues to join me in providing them that opportunity.

Mr. PAUL. Mr. Chair, I rise to oppose HR 1388. The idea that it is legitimate for the federal government to take money from one group of citizens and use that money to bribe other citizens into performing ''national service'' violates the basic moral principles of individual liberty that this country was founded upon.

I would make three points to those of my colleagues who try to justify this bill by saying that participation in the programs are voluntary. First, participation in the program is not voluntary for the taxpayers. Second, nothing in the bill prevents federal taxpayer dollars from being used to support state and local programs that force children to perform ''community service'' as a condition of graduating from high school. Because an increasing number of schools across the nation are forcing children to provide ''service'' as a condition of graduating, it is quite likely that the funds authorized by this bill will be used to support mandatory service. Third, and most importantly, by legitimizing the idea that it is an appropriate role for the government to promote ''service,'' legislation such as H.R. 1388 opens the door for mandatory national service. Today, influential voices in both major parties are calling for a national program of mandatory service as well as a resumption of the military draft. With the increased need for more troops for the administration's expanded military adventurism in Afghanistan, as well as the continuing movement to conscript young people not eligible for military service to serve the government at home, can anyone doubt that this bill is only the down payment on a much larger program of mandatory national service?

The moral case against national service was eloquently expressed by former President Ronald Reagan in the publication Human Events in 1979: ''. . . it [national service and conscription] rests on the assumption that your kids belong to the state. If we buy that assumption then it is for the state—not for parents, the community, the religious institutions or teachers—to decide who shall have what values and who shall do what work, when, where and how in our society. That assumption isn't a new one. The Nazis thought it was a great idea.''

Mr. Chair, millions of Americans including many young people, are already volunteering their time and talents to help their fellow citizens and better their communities without being bribed by the government. In fact, to suggest that the young Americans need a federal check as an incentive to volunteer is an insult to the American people. I hope all my colleagues to join me in standing up for individual liberty, the great American tradition of true volunteerism, and the Constitution by opposing H.R. 1388.

Mrs. MALONEY. Mr. Chair, I am pleased to support H.R. 1388, the Generations Invigorating Volunteerism and Education (GIVE) Act, legislation which will launch a new era of American service and volunteerism. I thank Mrs. MCCARTHY of New York for her hard work on the bill, which answers President Obama's call for Americans of all ages to help get the country through the economic crisis by serving and volunteering in their communities.

Among other provisions, the bill creates 175,000 new service opportunities and rewards Americans for their commitment to service. From middle school students to baby boomers and retirees, the GIVE Act provides incentives for Americans of all generations to be part of the solution to challenges in their communities. To meet the key needs in low income communities, the legislation also establishes four new service corps to tackle important issues including clean energy, education, health care access, and services for veterans.

In addition, I am pleased that the bill encourages Americans to observe September 11 th as a National Day of Service and Remembrance.

There is no better time to support and energize community service and volunteerism to help our country get through the economic crisis we face. I will proudly cast my vote for the GIVE Act and encourage my colleagues to do the same.

Mrs. BIGGERT. Mr. Chair, I rise today in strong support of H.R. 1338, the Generations Invigorating Volunteerism and Education, or GIVE Act.

This important legislation will reauthorize AmeriCorps and other programs under the Corporation for National and Community Service. I was particularly pleased by the addition of new performance measures that will ensure that AmeriCorps funds go to organizations that are efficient and effective with taxpayers' dollars. Also, by using fixed grants and eliminating costly bureaucratic red tape, the GIVE Act will ensure that small organizations have an equal opportunity to obtain federal service funds, without compromising the accountability of the program.

Finally, I would like to applaud the addition of a veterans corps, which will dedicate a specific funding stream to organizations that assist veterans and their families. These brave men and women have served our country honorably, and we have a responsibility to

help them in their transition back to civilian life.

I would like to thank Chairman MILLER and Ranking Member MCKEON for crafting a compromise bill that will receive broad, bipartisan support. It is my hope that this can be a model for cooperation on future legislation.

I urge my colleagues to support this bill.

Mr. VAN HOLLEN. Mr. Chair, throughout our history, American citizens have never hesitated to heed the call to service. They have answered in times of peace and prosperity, in times of war and recession. They have donated time and money and sweat—as much as they could, whenever it was needed.

When our nation faced the Great Depression, President Roosevelt formed the Civilian Conservation Corps and put citizens to work for the national interest. When we faced political uncertainty in the world, President Kennedy challenged our young people to serve and dispatched the Peace Corps on missions of international aid and public diplomacy. And when neighbors have challenges, when communities struggle, or when the nation sees tragedy, our citizens rally and lend a hand.

In recent years, we have seen some of the largest increases in volunteerism in history. This new trend is led by our young people, who are serving in record numbers. The number of college students who volunteer increased by 20 percent between 2002 and 2005. And the programs we consider today are a key part of that service.

Today's legislation will create new opportunities for Americans to volunteer and serve their communities while encouraging innovation and expanding on successful models. I have no doubt that Americans will take advantage of these programs.

As we emphasize the importance of volunteer service, I also want to call attention to the tremendous work done by our federal workforce. In the coming weeks, I will be introducing legislation to continue our support for service by cultivating our next generation of civil servants. My legislation will set up a scholarship program that will identify areas of national need in the federal workforce and recruit exceptional students to fill those positions after they graduate. In exchange for their commitment to serve, we will help them pay for school.

Mr. Chair, Americans have made tremendous investments through national service. Let us, in turn, pass this legislation today to assist their efforts and continue their commitment to our nation's future.

Mr. HONDA. Mr. Chair, I rise today in support of the Generations Invigorating Volunteerism and Education Act, the GIVE Act. In this time of economic crisis, when people all around our nation are suffering, an increase in service and volunteerism is what we need for a better, safer, kinder country and world.

It is more important now than ever before to support and reinvigorate the spirit of service in our country. As the recession intensifies, as more families are left without food, health care, or homes and as our schools suffer, the GIVE Act offers solutions to restore confidence and put our nation on a path to recovery by rebuilding cities, creating green jobs, improving communities, and establishing new service corps for every walk of life.

President Obama has asked us all to expand and create new opportunities for service and to recommit ourselves to the spirit of service that has always characterized our Nation. President Obama understands that the benefits of service are immeasurable. Other than the obvious personal gains that can be derived from volunteering, the concept of volunteerism is a simple one—service to our neighbors, near or far, that need a hand in this time of economic hardship.

America is facing challenges today. We have seen higher unemployment, more people without insurance, more homes in foreclosure, and the number of people in poverty rise all as a result of a struggling economy, a lack of skills training, and poor education. The GIVE Act will help fund service programs for high-need, low-income communities which will in turn provide training programs, support social entrepreneurship, and help engage citizens in service-learning to address the specific challenges faced by their communities.

As a teacher and returned Peace Corps Volunteer, I cannot tell you how happy I am to see us focus our attention on national service. The GIVE Act's strength lies not only in the number of programs it expands and creates, but in its desire to provide service opportunities for people of all ages and for future generations. It takes important steps to incentivize service, grow the number of Americorps volunteers nationwide to 250,000, and assist students in the pursuit of public service careers.

The GIVE Act is an incredibly important and comprehensive piece of legislation that reflects our values as a nation. I urge my colleagues in the House to support this legislation and those in the Senate to quickly pass it so that we can expand federally funded national service opportunities.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise today in strong support of the Generations Invigorating Volunteerism and Education Act. During this time of economic challenges the idea of helping one's community through volunteerism is particularly important.

The GIVE Act will expand the Corporation for National and Community Service which has been instrumental in helping connect Americans to high quality, meaningful service and service-learning opportunities. The GIVE Act will create new service programs for thousands of Americans and provide additional opportunities and incentives for middle and high school students to participate in service programs. The GIVE Act also improves program quality, ensures participant diversity, increases the value of the AmeriCorps education award, and reduces the age eligibility for Senior Corps to 55.

In particular, I would like to thank Chairman MILLER for incorporating into the Manager's Amendment my proposed language to engage public safety officers to volunteer with disadvantaged youth and provide opportunities for community based crime prevention efforts. It is important that we engage our communities and at-risk youth with law enforcement efforts. Too often there is a disconnect between the police and citizens of high-crime communities. It is important that these two groups recognize they can be partners in crime prevention, instead of having a fearful or untrusting relationship.

Since AmeriCorps was created in 1994, Texas has benefited from over 22,000 young people serving for at least one year in our communities. Through programs such as the 'National Civilian Community Corps' and 'City Year,' AmeriCorps volunteers address critical Texas needs in the areas of education, public safety, disaster response and recovery, and environment preservation. These programs serve the important role of providing an outlet for service to the country in a manner previously not afforded.

Mr. Chair, the AmeriCorps program has done great things for Texas and this nation as a whole, as is reflected in the AmeriCorps members' pledge to 'get things done.' I am indeed honored to support this wonderful program which represents the very best of the United States of America.

Mr. LARSON of Connecticut. Mr. Chair, I rise today in strong support of H.R. 1388, the Generations Invigorating Volunteerism and Education Act. I would like to thank Congresswoman MCCARTHY and Congressman MILLER for their persistent advocacy on such an important priority for our country. The GIVE Act will build on the President's call to action for public service by increasing opportunities available to citizens to help their communities and enhancing incentives for participation.

This bill will amend and extend programs that promote active community engagement. It will strengthen programs like Learn and Serve and AmeriCorps and will establish the Summer of Service program, which will reward middle and high school students that participate in eligible community service activities with money toward their college education.

In Connecticut, these programs have had an impact on thousands of our residents. Over 3,700 students participated in Learn and Serve activities last year and across the state we had 549 AmeriCorps volunteers. These programs offer vital services for our residents. Hartford's AmeriCorps program provided classroom support to 633 students last year, giving them one-on-one tutoring and helping them to improve their reading skills. The Learn and Serve program has also provided great benefits to Connecticut through programs that promote Civic engagement, environmental awareness, and fire-safety.

The GIVE Act is really a stimulus bill. It is estimated that every dollar spent on service initiatives is worth three dollars of investment in a community. These dollars go to repair community centers, build homes and bring back the neighborhoods that have been hit hardest by the economic downturn. This money will go to our students to provide them with the resources they need to go to college and the skills that will help them land jobs when they are done.

This legislation speaks to what is at the heart of American values. America is strongest when we are united and work together. The GIVE Act encourages just that. Once again, I would like to express my support for this bill and urge my colleagues to vote in favor of the GIVE Act.

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

The CHAIR. All time for general debate has expired.

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

The text of the committee amendment is as follows:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Generations Invigorating Volunteerism and Education Act'' or the ''GIVE Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

Sec. 1001. References.

Subtitle A—Amendments to Subtitle A (General Provisions)

Sec. 1101. Purposes; sense of Congress.
Sec. 1102. Definitions.

Subtitle B—Amendments to Subtitle B (Learn and Serve America)

Sec. 1201. School-based allotments.
Sec. 1202. Higher education provisions and Campuses of Service.
Sec. 1203. Innovative programs and research.

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

Sec. 1301. Prohibition on grants to Federal agencies; limits on Corporation costs.
Sec. 1302. Required and eligible national service programs.
Sec. 1303. Types of positions.
Sec. 1304. Conforming repeal relating to training and technical assistance.
Sec. 1305. Assistance to State Commissions; challenge grants.
Sec. 1306. Allocation of assistance to States and other eligible entities.
Sec. 1307. Additional authority.
Sec. 1308. State selection of programs.
Sec. 1309. National service program assistance requirements.
Sec. 1310. Consideration of applications.
Sec. 1311. Description of participants.
Sec. 1312. Selection of national service participants.
Sec. 1313. Terms of service.
Sec. 1314. Adjustments to living allowance.

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

Sec. 1401. Availability of funds in the National Service Trust.
Sec. 1402. Individuals eligible to receive a national service educational award from the Trust.
Sec. 1403. Determination of the amount of national service educational awards.
Sec. 1404. Disbursement of educational awards.
Sec. 1405. Process of approval of national service positions.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

Sec. 1501. Purpose.
Sec. 1502. Program components.
Sec. 1503. Eligible participants.
Sec. 1504. Summer national service program.
Sec. 1505. Team leaders.
Sec. 1506. Training.
Sec. 1507. Consultation with State Commissions.
Sec. 1508. Authorized benefits for Corps members.
Sec. 1509. Permanent cadre.
Sec. 1510. Contract and grant authority.
Sec. 1511. Other departments.
Sec. 1512. Advisory Board.
Sec. 1513. Evaluation.
Sec. 1514. Repeal of funding limitation.
Sec. 1515. Definitions.
Sec. 1516. Terminology.

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

Sec. 1601. Family and medical leave.
Sec. 1602. Additional prohibitions on use of funds.
Sec. 1603. Notice, hearing, and grievance procedures.
Sec. 1604. Resolution of displacement complaints.
Sec. 1605. State Commissions on National and Community Service.
Sec. 1606. Evaluation and accountability.
Sec. 1607. Technical amendment.
Sec. 1608. Partnerships with schools.
Sec. 1609. Rights of access, examination, and copying.
Sec. 1610. Additional administrative provisions.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

Sec. 1701. Terms of office.
Sec. 1702. Board of Directors authorities and duties.
Sec. 1703. Chief executive officer compensation.
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Sec. 4101. Table of contents for the National and Community Service Act of 1990.
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TITLE VI—CONGRESSIONAL COMMISSION ON CIVIC SERVICE

Sec. 6101. Short title.
Sec. 6102. Findings.
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Sec. 6107. Powers of Commission.
Sec. 6108. Reports.
Sec. 6109. Termination.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

SEC. 1001. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.).

Subtitle A—Amendments to Subtitle A (General Provisions)

SEC. 1101. PURPOSES; SENSE OF CONGRESS.

(a) PURPOSES.—Section 2(b) (42 U.S.C. 12501(b)) is amended—

(1) in paragraph (2), by striking ''community throughout'' and inserting ''community and service throughout the varied and diverse communities of'';

(2) in paragraph (4), by inserting after ''income,'' the following: ''geographic location,'';

(3) in paragraph (6), by inserting after ''existing'' the following: ''national'';

(4) in paragraph (7)—

(A) by striking ''programs and agencies'' and inserting ''programs, agencies, and communities''; and

(B) by striking ''and'' at the end;

(5) in paragraph (8), by striking the period and inserting a semicolon; and

(6) by adding at the end the following:

''(9) recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in addressing national and local challenges;

''(10) increase public and private investment in nonprofit community organizations that are effectively addressing national and local challenges and to encourage such organizations to replicate and expand successful initiatives;

''(11) leverage Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges;

''(12) expand and strengthen service-learning programs through year-round opportunities, including during the summer months, to improve the education of children and youth and to maximize the benefits of national and community service, in order to renew the ethic of civic responsibility and the spirit of community to children and youth throughout the United States;

''(13) assist in coordinating and strengthening Federal and other service opportunities, including opportunities for participation in emergency and disaster preparedness, relief, and recovery;

''(14) increase service opportunities for our Nation's retiring professionals, including such opportunities for those retiring from the science, technical, engineering, and mathematics professions to improve the education of our Nation's youth and keep America competitive in the global knowledge economy, and to further utilize the

experience, knowledge, and skills of older Americans;

''(15) encourage the continued service of the alumni of the national service programs, including service in times of national need;

''(16) support institutions of higher education that engage students in community service activities, provide service-learning courses, and encourage or assist graduates to pursue careers in public service in the nonprofit or government sector; and

''(17) encourage members of the Baby Boom generation to partake in service opportunities.''.

(b) SENSE OF CONGRESS.—The Act is amended by inserting after section 2 the following:

"SEC. 3. SENSE OF CONGRESS.

''It is the sense of Congress that the number of participants in the programs authorized under subtitle C, including the Volunteers in Service to America (VISTA) and the National Civilian Community Corps (NCCC), should grow to reach 250,000 participants by 2014.''.

SEC. 1102. DEFINITIONS.

Section 101 (42 U.S.C. 12511) is amended—

(1) by redesignating—

(A) paragraphs (21) through (29) as paragraphs (28) through (36), respectively;

(B) paragraphs (9) through (20) as paragraphs (15) through (26), respectively;

(C) paragraphs (7) and (8) as paragraphs (10) and (11), respectively; and

(D) paragraphs (3) through (6) as paragraphs (5) through (8), respectively;

(2) by inserting after paragraph (2) the following:

''(3) APPROVED SUMMER OF SERVICE POSITION.—The term 'approved summer of service position' means a position in a program described under section 120(c)(8) for which the Corporation has approved the provision of a summer of service educational award as one of the benefits to be provided for successful service in the position.

''(4) BABY BOOM GENERATION.—The term 'Baby Boom generation' means the generation that consists of individuals born during the period beginning with 1946 and ending with 1964.'';

(3) in paragraph (5) (as so redesignated), by striking ''described in section 122'';

(4) in paragraph (7) (as so redesignated), by striking ''church or other'';

(5) by inserting after paragraph (8) (as so redesignated) the following:

''(9) DISADVANTAGED YOUTH.—The term 'disadvantaged youth' includes those youth who are economically disadvantaged and one or more of the following:

''(A) Who are out-of-school youth, including out-of-school youth who are unemployed.

''(B) Who are in or aging out of foster care.

''(C) Who have limited English proficiency.

''(D) Who are homeless or who have run away from home.

''(E) Who are at-risk to leave school without a diploma.

''(F) Who are former juvenile offenders or at risk of delinquency.

''(G) Who are individuals with a disability.'';

(6) by inserting after paragraph (11) (as so redesignated) the following:

''(12) COMMUNITY-BASED ORGANIZATION.—The term 'community-based organization' means a public or private nonprofit organization that—

''(A) has experience with meeting unmet human, educational, environmental, or public safety needs; and

''(B) meets other such criteria as the Chief Executive Officer may establish.

''(13) HISPANIC-SERVING INSTITUTION.—The term 'Hispanic-serving institution' has the meaning given such term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

''(14) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term 'historically black college or university' means a part B institution, as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).'';

(7) in paragraph (19) (as so redesignated), by striking ''section 101(a) of the Higher Education Act of 1965'' and inserting ''sections 101(a) and 102(a)(1) of the Higher Education Act of 1965'';

(8) in paragraph (23)(B) (as so redesignated), by striking ''program in which the participant is enrolled'' and inserting ''organization receiving assistance under the national service laws through which the participant is enrolled in an approved national service position'';

(9) by inserting after paragraph (26) (as so redesignated) the following:

''(27) QUALIFIED ORGANIZATION.—The term 'qualified organization' means a public or private nonprofit organization with experience working with school-age youth that meets such criteria as the Chief Executive Officer may establish.'';

(10) in paragraph (28)(B) (as so redesignated)—

(A) by striking ''602'' and inserting ''602(3)''; and

(B) by striking ''1401'' and inserting ''1401(3)''; and

(11) by adding at the end the following:

''(37) PREDOMINANTLY BLACK INSTITUTION.—The term 'predominantly black institution' has the meaning given such term in section 318 of the Higher Education Act of 1965 (20 U.S.C. 1059e).

''(38) TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.—The term 'tribally controlled college or university' has the meaning given such term in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801).

''(39) MEDICALLY UNDERSERVED POPULATION.—The term 'medically underserved population' has the meaning given that term in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3)).

''(40) VETERAN.—The term 'veteran' means any individual who has engaged in the active duty in the United States Army, Navy, Air Force, or Coast Guard and was released under a condition other than dishonorable.''.

Subtitle B—Amendments to Subtitle B (Learn and Serve America)

SEC. 1201. SCHOOL-BASED ALLOTMENTS.

Part I of subtitle B of title I (42 U.S.C. 12521 et seq.) is amended to read as follows:

"PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY STUDENTS

"SEC. 111. ASSISTANCE TO STATES, TERRITORIES, AND INDIAN TRIBES.

''(a) PURPOSE.—School-based service learning programs promote service-learning as a strategy to—

''(1) support high-quality service-learning projects that engage students in meeting community needs with demonstrable results, while enhancing students' academic and civic learning; and

''(2) support efforts to build institutional capacity, including the training of educators, and to strengthen the service infrastructure to expand service opportunities.

''(b) ALLOTMENTS TO STATES, TERRITORIES, AND INDIAN TRIBES.—The Corporation, in consultation with the Secretary of Education, may make allotments to State educational agencies, Territories, and Indian tribes to pay for the Federal share of—

''(1) planning and building the capacity within the State, Territory, or Indian tribe to implement service-learning programs that are based principally in elementary and secondary schools, including—

''(A) providing training for teachers, supervisors, personnel from community-based agencies (particularly with regard to the recruitment, utilization, and management of participants), and trainers, to be conducted by qualified individuals or organizations that have experience with service-learning;

''(B) developing service-learning curricula, consistent with State or local academic content standards, to be integrated into academic programs, including an age-appropriate learning component that provides participants an opportunity to analyze and apply their service experiences;

''(C) forming local partnerships described in paragraph (2) or (4) to develop school-based service-learning programs in accordance with this part;

''(D) devising appropriate methods for research and evaluation of the educational value of service-learning and the effect of service-learning activities on communities;

''(E) establishing effective outreach and dissemination of information to ensure the broadest possible involvement of community-based agencies with demonstrated effectiveness in working with school-age youth in their communities; and

''(F) establishing effective outreach and dissemination of information to ensure the broadest possible participation of schools throughout the State, with particular attention to schools identified for school improvement under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

''(2) implementing, operating, or expanding school-based service-learning programs, which may include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service-learning coordinators, through distribution of Federal funds by State educational agencies, Territories, and Indian tribes made available under this part to projects operated by local partnerships among—

''(A) local educational agencies; and

''(B) 1 or more community partners that—

''(i) shall include a public or private nonprofit organization that—

''(I) has a demonstrated expertise in the provision of services to meet unmet human, education, environmental, or public safety needs;

''(II) will make projects available for participants, who shall be students; and

''(III) was in existence at least 1 year before the date on which the organization submitted an application under section 113; and

''(ii) may include a private for-profit business, private elementary or secondary school, or Indian tribe (except that an Indian tribe distributing funds to a project under this paragraph is not eligible to be part of the partnership operating that project);

''(3) planning of school-based service-learning programs, through distribution by State educational agencies, Territories, and Indian tribes of Federal funds made available under this part to local educational agencies and Indian tribes, which planning may include paying for the cost of—

''(A) the salaries and benefits of service-learning coordinators; or

''(B) the recruitment, training, supervision, and placement of service-learning coordinators who may be participants in a program under subtitle C or receive a national service educational award under subtitle D, who may be participants in a project under section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001), or who may participate in a Youthbuild program under section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a),

who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2);

''(4) implementing, operating, or expanding school-based service-learning programs to utilize adult volunteers in service-learning to improve the education of students, through distribution by State educational agencies, Territories, and Indian tribes of Federal funds made available under this part to—

''(A) local educational agencies;

''(B) Indian tribes (except that an Indian tribe distributing funds under this paragraph is not eligible to be a recipient of those funds);

''(C) public or private nonprofit organizations; or

''(D) partnerships or combinations of local educational agencies and entities described in subparagraph (B) or (C); and

''(5) developing civic engagement programs that promote a better understanding of—

''(A) the principles of the Constitution, the heroes of American history (including military heroes), and the meaning of the Oath of Allegiance;

''(B) promote a better understanding of how the Nation's government functions; and

''(C) promote a better understanding of the importance of service in the Nation's character.

''(c) CONSULTATION WITH SECRETARY OF EDUCATION.—The Corporation is authorized to enter into agreements with the Secretary of Education for initiatives that may include—

''(1) Identification and dissemination of research findings on service-learning and scientifically-valid research based practices; and

''(2) Provision of professional development opportunities that—

''(A) improve the quality of service-learning instruction and delivery for teachers both preservice and in-service, personnel from community-based agencies and youth workers; and

''(B) create and sustain effective partnerships between local education agencies, community-based organizations, businesses, and other stakeholders.

''(d) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in paragraph (2) or (3) of subsection (b) shall provide services that may include—

''(1) providing technical assistance and information to, and facilitating the training of, teachers and assisting in the planning, development, execution, and evaluation of service-learning in their classrooms;

''(2) assisting local partnerships described in subsection (b) in the planning, development, and execution of service-learning projects, including summer of service programs; and

''(3) carrying out such other duties as the recipient of assistance under this part may determine to be appropriate.

''(e) RELATED EXPENSES.—An entity that receives financial assistance under this part may, in carrying out the activities described in subsection (b), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, and evaluations and for other reasonable expenses related to the activities.

"SEC. 112. ALLOTMENTS.

''(a) INDIAN TRIBES AND TERRITORIES.—Of the amounts appropriated to carry out this part for any fiscal year, the Corporation shall reserve an amount of not less than 2 percent and not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

''(b) ALLOTMENTS THROUGH STATES.—After reserving the amount under subsection (a), the Corporation shall use the remainder of the funds appropriated to carry out this part for any fiscal year as follows:

''(1) ALLOTMENTS.—

''(A) SCHOOL-AGE YOUTH.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the number of school-age youth in the State bears to the total number of school-age youth of all States.

''(B) ALLOCATION UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) or its successor authority bears to such allocations to all States.

''(2) DEFINITION.—Notwithstanding section 101, for purposes of this subsection, the term 'State' means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(c) REALLOTMENT.—If the Corporation determines that the allotment of a State, Territory, or Indian tribe under this section will not be required for a fiscal year because the State, Territory, or Indian tribe did not submit and receive approval of an application for the allotment under section 113, the Corporation shall make the allotment for such State, Territory, or Indian tribe available for grants to community-based organization to carry out service-learning programs as described in section 111(b) in such State, Territory, or Indian tribe. After community-based organizations apply for the allotment with an application at such time and in such manner as the Corporation requires and receive approval, the remainder of such allotment shall be available for reallotment to such other States, Territories, or Indian tribes with approved applications submitted under section 113 as the Corporation may determine to be appropriate.

''(d) MINIMUM AMOUNT.—For any fiscal year for which amounts appropriated for this part exceed $50,000,000, the minimum allotment to each State (as defined in subsection (b)(2)) under this section shall be $65,000.

"SEC. 113. APPLICATIONS.

''(a) IN GENERAL.—To be eligible to receive an allotment under section 112, a State, acting through the State educational agency, Territory, or Indian tribe shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.

''(b) CONTENTS.—An application for an allotment under this part shall include—

''(1) a proposal for a 3-year plan promoting service-learning, which shall contain such information as the Chief Executive Officer may reasonably require, including how the applicant will integrate service opportunities into the academic program of the participants;

''(2) information about the criteria the State educational agency, Territory, or Indian tribe will use to evaluate and grant approval to applications submitted under subsection (c), including an assurance that the State educational agency, Territory, or Indian tribe will comply with the requirement in section 114(a);

''(3) assurances about the applicant's efforts to—

''(A) ensure that students of different ages, races, sexes, ethnic groups, disabilities, and economic backgrounds have opportunities to serve together;

''(B) include any opportunities for students enrolled in schools or other programs of education providing elementary or secondary education to participate in service-learning programs and ensure that such service-learning programs include opportunities for such students to serve together;

''(C) involve participants in the design and operation of the program;

''(D) promote service-learning in areas of greatest need, including low-income or rural areas; and

''(E) otherwise integrate service opportunities into the academic program of the participants; and

''(4) assurances that the applicant will comply with the nonduplication and nondisplacement requirements of section 177 and the grievance procedures required by section 176.

''(c) APPLICATION TO STATE, TERRITORY, OR INDIAN TRIBE TO RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—

''(1) IN GENERAL.—Any—

''(A) qualified organization, Indian tribe, Territory, local educational agency, for-profit business, private elementary, middle, or secondary school, or institution of higher education that desires to receive financial assistance under this subpart from a State, Territory, or Indian tribe for an activity described in section 111(b)(1);

''(B) partnership described in section 111(b)(2) that desires to receive such assistance from a State, Territory, or Indian tribe or community-based organization described in section 111(b)(2);

''(C) entity described in section 111(b)(3) that desires to receive such assistance from a State, Territory, or Indian tribe for an activity described in such section;

''(D) partnership described in section 111(b)(4) that desires to receive such assistance from a State, Territory, or Indian tribe for an activity described in such section; and

''(E) agency or partnership described in section 120(c)(8) that desires to receive such assistance, or approved summer of service positions, from a State, Territory, or Indian tribe for an activity described in such section to be carried out through a service-learning program described in section 111,

shall prepare, submit to the State educational agency, Territory, community-based organization, or Indian tribe, and obtain approval of, an application for the program.

''(2) SUBMISSION.—Such application shall be submitted at such time and in such manner, and shall contain such information, as the agency, Territory, Indian tribe, or entity may reasonably require.

"SEC. 114. CONSIDERATION OF APPLICATIONS.

''(a) PRIORITY.—In considering competitive applications under this part, the Corporation shall give priority to innovation, sustainability, capacity building, involvement of disadvantaged youth, and quality of programs, as well as other criteria approved by the Chief Executive Officer.

''(b) REJECTION OF APPLICATIONS.—If the Corporation rejects an application submitted by a State, Territory, or Indian tribe under section 113 for an allotment, the Corporation shall promptly notify the State, Territory, or Indian tribe of the reasons for the rejection of the application. The Corporation shall provide the State, Territory, or Indian tribe with a reasonable opportunity to revise and resubmit the application and shall provide technical assistance, if needed, to the State, Territory, or Indian tribe as part of the re-submission process. The Corporation shall promptly reconsider such resubmitted application.

"SEC. 115. PARTICIPATION OF STUDENTS AND TEACHERS FROM PRIVATE SCHOOLS.

''(a) IN GENERAL.—To the extent consistent with the number of students in the State, Territory, or Indian tribe or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary and secondary schools, such State, Territory, Indian tribe, or agency shall (after consultation with appropriate private school representatives) make provision—

''(1) for the inclusion of services and arrangements for the benefit of such students so as to allow for the equitable participation of such students in the programs implemented to carry out the objectives and provide the benefits described in this part; and

''(2) for the training of the teachers of such students so as to allow for the equitable participation of such teachers in the programs implemented to carry out the objectives and provide the benefits described in this part.

''(b) WAIVER.—If a State, Territory, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teachers from private nonprofit schools as required by subsection (a), or if the Corporation determines that a State, Territory, Indian tribe, or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Chief Executive Officer shall waive such requirements and shall arrange for the provision

of services to such students and teachers. Such waivers shall be subject to the requirements of sections 9503 and 9504 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7883 and 7884).

"SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

''(a) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part—

''(A) for new grants, may not exceed 80 percent of the total cost for the first year of the grant, 65 percent for the second year, and 50 percent for each remaining year; and

''(B) for continuing grants, may not exceed 50 percent of the total cost of the program.

''(2) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of assistance under this part—

''(A) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

''(B) may provide for such share through State sources or local sources, including private funds or donated services.

''(b) WAIVER.—

''(1) IN GENERAL.—The Chief Executive Officer may, with respect to any such program for any fiscal year, and upon determination that such action would be equitable due to lack of resources at the local level—

''(A) waive the requirements of subsection (a) in whole or in part; or

''(B) allow a recipient to provide the non-Federal contribution required under subsection (a)(2) from funding available pursuant to title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

''(2) RULES.—The following rules apply to paragraph (1)(B):

''(A) Paragraph (1)(B) applies only to recipients that are schools receiving funding under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

''(B) The non-Federal contribution provided under paragraph (1)(B) may only be used for purposes consistent with title I of such Act (20 U.S.C. 6301 et seq.).

"SEC. 117. LIMITATIONS ON USES OF FUNDS.

''Not more than 6 percent of the amount of assistance received by an applicant in a fiscal year may be used to pay, in accordance with such standards as the Corporation may issue, for administrative costs, incurred by—

''(1) the original recipient; or

''(2) the entity carrying out the service-learning program supported with the assistance.''.

SEC. 1202. HIGHER EDUCATION PROVISIONS AND CAMPUSES OF SERVICE.

(a) PART HEADING.—The heading relating to part II of subtitle B of title I is amended to read as follows:

"PART II—HIGHER EDUCATION PROVISIONS AND CAMPUSES OF SERVICE".

(b) HIGHER EDUCATION.—Section 119 (42 U.S.C. 12561) is redesignated as section 118 and amended—

(1) in subsection (a), by inserting after ''community service programs'' the following: ''through service-learning'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''combination'' and inserting ''consortia'';

(B) in paragraph (1)—

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

(ii) in subparagraph (B), by adding ''and'' at the end; and

(iii) by adding at the end the following:

''(C) may coordinate with service-learning curricula being offered in the academic curricula at the institution of higher education or at one or more members of the consortia;'';

(3) in subsection (b)(3)—

(A) in the matter preceding subparagraph (A), by striking ''teachers at the elementary, secondary, and postsecondary levels'' and inserting ''institutions of higher education and their faculty'';

(B) in subparagraph (A), by striking ''education of the institution; and'' and inserting ''curricula of the institution to strengthen the instructional capacity of service-learning at the elementary and secondary levels;'';

(C) by redesignating subparagraph (B) as subparagraph (E); and

(D) by inserting after subparagraph (A) the following:

''(B) including service-learning as a key component of the health professionals curricula, including nursing, pre-medicine, medicine, and dentistry curricula of the institution;

''(C) including service-learning as a key component of the criminal justice professionals curricula of the institution;

''(D) including service-learning as a key component of the public policy and public administration curricula of the institution; and'';

(4) by striking subsections (c), (d), (e), and (g);

(5) by redesignating subsection (f) as (i); and

(6) by inserting after subsection (b) the following:

''(c) SPECIAL CONSIDERATION.—To the extent practicable, the Corporation shall give special consideration to applications submitted by predominantly Black institutions, Historically Black Colleges and Universities, Hispanic-serving institutions, Tribal Colleges and Universities, and community colleges serving predominantly minority populations.

''(d) FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.—

''(1) FEDERAL SHARE.—

''(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part may not exceed 50 percent of the total cost of the program.

''(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

''(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

''(ii) may provide for such share through State sources or local sources, including private funds or donated services.

''(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

''(e) APPLICATION FOR GRANT.—

''(1) SUBMISSION.—To receive a grant or enter into a contract under this part, an applicant shall prepare, submit to the Corporation, and obtain approval of, an application at such time, in such manner, and containing such information and assurances as the Corporation may reasonably require. In requesting applications for assistance under this part, the Corporation shall specify such required information and assurances.

''(2) CONTENTS.—An application submitted under paragraph (1) shall contain, at a minimum—

''(A) assurances that—

''(i) prior to the placement of a participant, the applicant will consult with the appropriate local labor organization, if any, representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees; and

''(ii) the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the grievance procedures required by section 176; and

''(B) such other assurances as the Chief Executive Officer may reasonably require.

''(f) PRIORITY.—In making grants and entering into contracts under subsection (b), the Corporation shall give priority to applicants or institutions that submit applications containing proposals that—

''(1) demonstrate the commitment of the institution of higher education, other than by demonstrating the commitment of the students, to supporting the community service projects carried out under the program;

''(2) specify the manner in which the institution will promote faculty, administration, and staff participation in the community service projects;

''(3) specify the manner in which the institution will provide service to the community through organized programs, including, where appropriate, clinical programs for students in professional schools and colleges;

''(4) describe any partnership that will participate in the community service projects, such as a partnership comprised of—

''(A) the institution;

''(B)(i) a community-based agency;

''(ii) a local government agency; or

''(iii) a non-profit entity that serves or involves school-age youth, older adults, or low-income communities; and

''(C)(i) a student organization;

''(ii) a department of the institution; or

''(iii) a group of faculty comprised of different departments, schools, or colleges at the institution;

''(5) demonstrate community involvement in the development of the proposal and the extent to which the proposal will contribute to the goals of its community partners;

''(6) describe research on effective strategies and methods to improve service utilized in the design of the project;

''(7) demonstrate a commitment to perform service projects in underserved urban and rural communities;

''(8) specify that the institution will use such assistance to strengthen the service infrastructure in institutions of higher education;

''(9) with respect to projects involving delivery of services, specify projects that involve leadership development of school aged youth; or

''(10) describe how service projects and activities are associated with such ideas as housing, economic development, infrastructure, health care, job training, education, crime prevention, urban planning, transportation technology, and child welfare.

''(g) DEFINITION.—Notwithstanding section 101, as used in this part, the term 'student' means an individual who is enrolled in an institution of higher education on a full- or part-time basis.

''(h) FEDERAL WORK-STUDY.—To be eligible for assistance under this part, an institution of higher education must demonstrate that it meets the minimum requirements under section 443(b)(2) of the Higher Education Act of 1965 (42 U.S.C. 2753(b)(2)) relating to the participation of Federal Work-Study students in community service activities, or has received a waiver of those requirements from the Secretary of Education.''.

(c) CAMPUSES OF SERVICE.—Title I of the National and Community Service Act of 1990 (42 U.S.C. 12521 et seq.) is amended by adding after section 118 (as redesignated by subsection (a)) at the end the following:

"SEC. 119. CAMPUSES OF SERVICE.

''(a) IN GENERAL.—The Corporation, after consultation with the Secretary of Education, may annually designate not more than 25 institutions of higher education as Campuses of Service, from among institutions nominated by State Commissions.

''(b) APPLICATIONS FOR NOMINATION.—

''(1) IN GENERAL.—To be eligible for a nomination to receive designation under subsection (a), and have an opportunity to apply for funds under subsection (d) for a fiscal year, an institution of higher education in a State shall submit an application to the State Commission at

such time, in such manner, and containing such information as the State Commission may require.

''(2) CONTENTS.—At a minimum, the application shall include information specifying—

''(A)(i) the number of undergraduate and, if applicable, graduate service-learning courses offered at such institution for the most recent full academic year preceding the fiscal year for which designation is sought; and

''(ii) the number and percentage of undergraduate students and, if applicable, the number and percentage of graduate students at such institution who were enrolled in the corresponding courses described in clause (i), for such preceding academic year;

''(B) the percentage of undergraduate students engaging in and, if applicable, the percentage of graduate students engaging in activities providing community services, as defined in section 441(c) of the Higher Education Act of 1965 (42 U.S.C. 2751(c)), during such preceding academic year, the quality of such activities, and the average amount of time spent, per student, engaged in such activities;

''(C) for such preceding academic year, the percentage of Federal work-study funds made available to the institution under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.) that is used to compensate students employed in providing community services, as so defined, and a description of the efforts the institution undertakes to make available to students opportunities to provide such community services and be compensated through such work-study funds;

''(D) at the discretion of the institution, information demonstrating the degree to which recent graduates of the institution, and all graduates of the institution, have obtained full-time public service employment in the nonprofit sector or government, with a private nonprofit organization or a Federal, State, or local public agency; and

''(E) any programs the institution has in place to encourage or assist graduates of the institution to pursue careers in public service in the nonprofit sector or government.

''(c) NOMINATIONS AND DESIGNATION.—

''(1) NOMINATION.—

''(A) IN GENERAL.—A State Commission that receives applications from institutions of higher education under subsection (b) may nominate, for designation under subsection (a), not more than 3 such institutions of higher education, consisting of—

''(i) not more than one 4-year public institution of higher education;

''(ii) not more than one 4-year private institution of higher education; and

''(iii) not more than one 2-year institution of higher education.

''(B) SUBMISSION.—The State Commission shall submit to the Corporation the name and application of each institution nominated by the State Commission under subparagraph (A).

''(2) DESIGNATION.—The Corporation shall designate, under subsection (a), not more than 25 institutions of higher education from among the institutions nominated under paragraph (1). In making the designations, the Corporation shall, if feasible, designate various types of institutions, including institutions from each of the categories of institutions described in clauses (i), (ii), and (iii) of paragraph (1)(A).

''(d) AWARDS.—

''(1) IN GENERAL.—Using sums appropriated under section 501(a)(1)(C), the Corporation shall provide an award to institutions designated under subsection (c), to be used by the institutions to develop or disseminate service-learning models and best practices regarding service-learning to other institutions of higher education.

''(2) PLANS.—To be eligible to receive funds under this subsection, an institution designated under subsection (c) shall submit a plan to the Corporation describing how the institution intends to use the funds to encourage or assist those students to pursue public service careers in the nonprofit sector or government.

''(3) ALLOCATION.—The Corporation shall determine how the funds appropriated under section 501(a)(1)(C) for a fiscal year will be allocated among the institutions submitting acceptable plans under paragraph (2). In determining the amount of funds to be allocated to such an institution, the Corporation shall consider the number of students at the institution, and the quality and scope of the plan submitted by the institution under paragraph (2) and the institution's current (as of the date of submission of the plan) strategies to encourage or assist students to pursue public service careers in the nonprofit sector or government.''.

SEC. 1203. INNOVATIVE PROGRAMS AND RESEARCH.

Subtitle B of title I (42 U.S.C. 12521 et seq.) is further amended by adding after part II the following new part:

''PART III—INNOVATIVE DEMONSTRATION SERVICE–LEARNING PROGRAMS AND RESEARCH

''SEC. 120. INNOVATIVE DEMONSTRATION SERVICE-LEARNING PROGRAMS AND RESEARCH.

''(a) IN GENERAL.—From the amounts appropriated to carry out this part for a fiscal year, the Corporation may make grants and fixed-amount grants (in accordance with section 129(l)) with eligible entities for activities described in subsection (c).

''(b) DEFINITIONS.—For purposes of this part, the following definitions apply:

''(1) ELIGIBLE ENTITIES.—The term 'eligible entity' means a State education agency, a State Commission, a Territory, an Indian tribe, an institution of higher education, or a public or private nonprofit organization (including community-based organizations), a public or private elementary or secondary school, a local educational agency, or a consortia of such entities, where a consortia of two or more such entities may also include a for-profit organization.

''(2) YOUTH ENGAGEMENT ZONE.—The term 'youth engagement zone' means the area in which a youth engagement zone program is carried out.

''(3) YOUTH ENGAGEMENT ZONE PROGRAM.—The term 'youth engagement zone program' means a service learning program in which members of an eligible partnership described in paragraph (4) collaborate to provide coordinated school-based or community-based service learning opportunities, to address a specific community challenge, for an increasing percentage of out-of-school youth and secondary school students served by local educational agencies where—

''(A) not less than 90 percent of the students participate in service-learning activities as part of the program; or

''(B) service-learning is a mandatory part of the curriculum in all of the secondary schools served by the local educational agency.

''(4) ELIGIBLE PARTNERSHIP.—

''(A) IN GENERAL.—The term 'eligible partnership' means—

''(i) one or more community-based agencies that have demonstrated records of success in carrying out service-learning programs with disadvantaged students, and that meet such criteria as the Chief Executive Officer may establish; in combination with;

''(ii) (I) one or more local educational agencies for which—

''(aa) a high number or percentage of the students served by the agency, as determined by the Corporation, are disadvantaged students; and

''(bb) the graduation rate for the secondary school students served by the agency is less than 70 percent; or

''(II) a State Commission; or

''(III) a State educational agency.

''(B) ADDITIONAL ENTITIES.—An eligible partnership may also include—

''(i) a local government agency that is not described in subparagraph (A);

''(ii) the office of the chief executive officer of a unit of general local government; or

''(iii) an institution of higher education.

''(c) AUTHORIZED ACTIVITIES.—Funds under this part may be used to—

''(1) integrate service-learning programs into the science, technology, engineering, and mathematics (STEM) curricula at the elementary, secondary, or post-secondary, and post-baccalaureate levels in coordination with practicing or retired STEM professionals;

''(2) involve students in service-learning programs focusing on energy conservation in their community, including conducting educational outreach on energy conservation and working to improve energy efficiency in low income housing and in public spaces;

''(3) involve students in service-learning projects in emergency and disaster preparedness;

''(4) involve students in service-learning projects aimed at improving access to and obtaining benefits from computers and other emerging technologies, including improving such access to individuals with disabilities, in low income or rural communities, in senior centers and communities, in schools, in libraries, and in other public spaces;

''(5) involve high school age youth in the mentoring of middle school youth while involving all participants in service-learning to seek to meet unmet human, educational, environmental, public safety, or emergency disaster preparedness needs in their community;

''(6) conduct research and evaluations on service-learning, including service-learning in middle schools, and disseminate such research and evaluations widely;

''(7) conduct innovative and creative activities as described in section 111(b);

''(8) establish or implement summer of service programs (giving priority to programs that enroll youth in grades 6 through 9) during the summer months, including the cost of recruitment, training, and placement of service-learning coordinators—

''(A) for youth who will be enrolled in any grade from grade 6 through grade 12 at the end of the summer concerned;

''(B) for community-based service-learning projects that—

''(i) shall—

''(I) meet unmet human, educational, environmental (including energy conservation and stewardship), emergency and disaster preparedness, and public service needs; and

''(II) be intensive, structured, supervised, and designed to produce identifiable improvements to the community; and

''(ii) may include the extension of academic year service-learning programs into the summer months;

''(C) under which any student who completes 100 hours of service in an approved summer of service position, as certified through a process determined by the Corporation through regulations consistent with section 138(f), shall be eligible for a summer of service educational award of not more than $500 (or, at the discretion of the Chief Executive Officer, not more than $1,000 in the case of a participant who is economically disadvantaged) from funds deposited in the National Service Trust and distributed by the Corporation as described in section 148; and

''(D) subject to the limitation that a student may not receive more than 2 summer of service educational awards from funds deposited in the National Service Trust;

''(9) establish or implement youth engagement zone service learning programs in youth engagement zones for students in secondary school served by local educational agencies where a majority of such students do not participate in service learning activities carried out by eligible

partnerships as defined in paragraph (4) that are designed to—

''(A) involve all students in secondary school in the local educational agency in service-learning to address a specific community challenge;

''(B) improve student engagement, including student attendance and student behavior, and student achievement, graduation rates, and college-going rates in secondary schools;

''(C) involve an increasing percentage of students in secondary school and out-of-school youth in the community in school-based or community based service-learning activities each year, with the goal of involving all students in secondary schools served by the local educational agency and involving an increasing percentage of the out-of-school youth in service learning activities; and

''(D) encourage participants to engage in service throughout their lives; and

''(10) carry out any other innovative service-learning programs or research that the Corporation considers appropriate.

''(d) PRIORITY.—Priority shall be given to programs that—

''(1) involve students and community stakeholders in the design and implementation of the service-learning program;

''(2) implement service-learning programs in low-income or rural communities; and

''(3) utilize adult volunteers, including tapping the resource of retired and retiring adults, in the planning and implementation of the service-learning programs.

''(e) REQUIREMENTS.—

''(1) THREE-YEAR TERM.—Each program funded under this part shall be carried out over a period of three years, including one planning year and two additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

''(2) COLLABORATION ENCOURAGED.—Each program funded under this part is encouraged to collaborate with other Learn and Serve programs, AmeriCorps, VISTA, and the National Senior Service Corps.

''(3) EVALUATION.—Upon completion of the program, the Corporation shall conduct an independent evaluation of the program and widely disseminate the results to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies and recommendations for improvement.

''(f) MATCHING FUNDS.—

''(1) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant (that is not a fixed-amount grant as described in section 129(l)) is made under this part may not exceed 75 percent of the total cost of the program in the first year of the grant and 50 percent of the total cost of the program in the remaining years of the grant, including if the grant is extended for a fourth year.

''(2) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

''(A) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

''(B) may provide for such share through State sources or local sources, including private funds or donated services.

''(3) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for any fiscal year if the Corporation determines that such action would be equitable due to lack of resources at the local level.

''(g) APPLICATIONS.—To be eligible to carry out a program under this part, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.''.

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

SEC. 1301. PROHIBITION ON GRANTS TO FEDERAL AGENCIES; LIMITS ON CORPORATION COSTS.

Section 121 (42 U.S.C. 12571) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting after ''subdivisions of States,'' the following: ''Territories,'';

(2) in subsection (b)—

(A) in the heading, by striking ''AGREEMENTS WITH FEDERAL AGENCIES'' and inserting ''RESTRICTIONS ON AGREEMENTS WITH FEDERAL AGENCIES'';

(B) in paragraph (1)—

(i) by striking ''a contract or cooperative agreement'' and inserting ''an interagency agreement other than a grant'';

(ii) by inserting ''or otherwise supported'' after ''program carried out'';

(iii) by striking ''by the agency.'' and inserting ''by the agency, including programs under the Public Lands Corps and Urban Youth Corps as described in section 122(a)(2).''; and

(iv) by striking the second sentence;

(C) by striking paragraph (2) and inserting the following:

''(2) PROHIBITION ON GRANTS.—The Corporation may not provide a grant under this section to a Federal agency.''; and

(D) in paragraph (3), by striking ''receiving assistance under this subsection'' and inserting ''operating a national service program''; and

(3) in subsection (c)(2)(B), by striking ''to be provided'' and inserting ''to be provided or otherwise approved'';

(4) in subsection (d)—

(A) in the subsection heading, by striking ''FIVE'' and inserting ''SIX''; and

(B) in paragraph (1), by striking ''5 percent'' and inserting ''6 percent''; and

(5) in subsection (e)—

(A) in paragraph (1)—

(i) by striking ''section 140'' and inserting ''paragraph (2)'';

(ii) by striking ''Federal share of the cost'' and inserting ''Corporation share of the cost, including member living allowances, employment-related taxes, health care coverage, and worker's compensation and other necessary operation costs,'';

(iii) by striking ''may not exceed 75 percent of such cost.'' and inserting ''may not exceed—''; and

(iv) by adding at the end the following:

''(A) for the first 3 years in which the recipient receives such assistance, 76 percent of such cost;

''(B) for the fourth through ninth years in which the recipient receives such assistance, a decreasing share of such cost between 76 percent and 50 percent, as established by the Corporation in regulation; and

''(C) for the tenth year (and each year thereafter) in which the recipient receives such assistance, 50 percent of such cost.'';

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following:

''(2) ALTERNATIVE CORPORATION SHARE FOR PROGRAMS IN RURAL OR SEVERELY ECONOMICALLY DISTRESSED COMMUNITIES.—Upon approval by the Corporation, the Corporation share of the cost, including member living allowances, employment-related taxes, health care coverage, and worker's compensation, of carrying out a national service program that receives assistance under subsection (a) and that is located in a rural or severely economically distressed community may not exceed—

''(A) for the first 6 years in which the recipient receives such assistance, 76 percent of such cost;

''(B) for the seventh through ninth years in which the recipient receives such assistance, a decreasing share of such cost between 76 and 65 percent as established by the Corporation in regulation; and

''(C) for the tenth year (and each year thereafter) in which the recipient receives such assistance, 65 percent of such cost.''; and

(E) by adding at the end the following:

''(5) OTHER FEDERAL FUNDS.—

''(A) RECIPIENT REPORT.—A recipient of assistance under section 121 (other than a recipient of assistance of a fixed-amount grant) shall report to the Corporation the amount and source of any Federal funds used to carry out the program other than those provided by the Corporation.

''(B) CORPORATION REPORT.—The Corporation shall report to the appropriate committees of Congress on an annual basis information regarding each recipient under subparagraph (A) that uses Federal funds other than those provided by the Corporation to carry out the program, including amounts and sources of other Federal funds.''.

SEC. 1302. REQUIRED AND ELIGIBLE NATIONAL SERVICE PROGRAMS.

Section 122 is amended to read as follows:

''SEC. 122. NATIONAL SERVICE PROGRAMS ELIGIBLE FOR PROGRAM ASSISTANCE.

''(a) REQUIRED NATIONAL SERVICE CORPS.—The recipient of a grant under section 121(a) and each Federal agency operating or supporting a national service program under section 121(b) shall, directly or through grants or subgrants to other entities, carry out or support the following national service corps, as full- or part-time corps, including during the summer months, to address unmet educational, health, veteran, or environmental needs:

''(1) EDUCATION CORPS.—An Education Corps that identifies unmet educational needs within communities through activities such as those described in subparagraph (A) and meets or exceeds the performance indicators under subparagraph (B).

''(A) ACTIVITIES.—An Education Corps described in this paragraph may carry out activities such as—

''(i) tutoring, or providing other academic support to students;

''(ii) full-time classroom instruction;

''(iii) mentoring students, including adult or peer mentoring;

''(iv) linking needed integrated services and comprehensive supports with students, their families, and their public schools;

''(v) improving school climate;

''(vi) providing assistance to a school in expanding the school day by strengthening the quality of staff and expanding the academic programming offered in an expanded learning time initiative, a program of a 21st century community learning center (as defined in section 4201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171)), or a high-quality after-school program, such as through recruiting, placing, training and supporting a full-time corps of Fellows who are graduates of 4-year institutions of higher education or 2-year institutions of higher education with a certificate or degree in youth development to administer the initiative or program at high-need school;

''(vii) assisting schools and local educational agencies in improving and expanding high-quality service-learning programs that keep students engaged in schools by providing service-learning coordinators;

''(viii) assisting students in being prepared for college-level work;

''(ix) involving family members of students in supporting teachers and students;

''(x) conducting a pre-professional training program in which students enrolled in an institution of higher education—

''(I) receive training in specified fields, which may include classes containing service-learning, including early childhood education, elementary and secondary education and other professions

such as those in health care, criminal justice, environmental stewardship and conservation or public safety;

''(II) perform service related to such training outside the classroom during the school term and during summer or other vacation periods; and

''(III) agree to provide service upon graduation to meet unmet human, educational, environmental, or public safety needs related to such training;

''(xi) A campus-based program that is designed to provide substantial service in a community during the school term and during summer or other vacation periods through the use of—

''(I) students who are attending an institution of higher education, including students participating in a work-study program assisted under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.);

''(II) teams composed of such students;

''(III) teams composed of a combination of such students and community residents; or

''(IV) students participating in service-learning programs at an institution of higher education;

''(xii) a program that provides specialized training to individuals in service-learning and places the individuals after such training in positions, including positions as service-learning coordinators, to facilitate service-learning in programs eligible for funding under part I of subtitle B;

''(xiii) providing education or job training services that are designed to meet the needs of rural communities; and

''(xiv) other activities addressing unmet educational needs as the Corporation may designate.

''(B) EDUCATION CORPS INDICATORS.—The corps indicators for a corps described in this paragraph are—

''(i) student engagement, including student attendance and student behavior;

''(ii) student academic achievement;

''(iii) high school graduation rates;

''(iv) rate of college enrollment and continued college enrollment for recipients of a high school diploma;

''(v) an additional indicator relating to improving education for students that the Corporation, in consultation with the Secretary of Education, establishes for a given year;

''(vi) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to improving education for students, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section; and

''(vii) any additional local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) that is approved by the Corporation.

''(2) HEALTHY FUTURES CORPS.—A Healthy Futures Corps that identifies unmet health needs within communities through activities such as those described in subparagraph (A) and meets or exceeds the performance indicators under subparagraph (B).

''(A) ACTIVITIES.—A Healthy Futures Corps described in this paragraph may carry out activities such as—

''(i) assisting economically disadvantaged individuals in navigating the health care system;

''(ii) assisting individuals in obtaining access to health care for themselves or their children;

''(iii) educating economically disadvantaged individuals and individuals who are members of medically underserved populations about, and engaging individuals described in this clause in, initiatives regarding navigating the health care system and regarding disease prevention and health promotion, with a particular focus on common health conditions, chronic diseases, and conditions, for which disease prevention and health promotion measures exist and for which socioeconomic, geographic, and racial and ethnic health disparities exist;

''(iv) improving health literacy of patients;

''(v) providing translation services at clinics and in emergency rooms to improve health care;

''(vi) providing services designed to meet the needs of rural communities;

''(vii) assisting in health promotion interventions that improve health status, and helping people adopt and maintain healthy lifestyles and habits to improve health status; and

''(viii) other activities addressing unmet health needs as the Corporation may designate.

''(B) HEALTHY FUTURES CORPS INDICATORS.—The corps indicators for a corps described in this paragraph are—

''(i) access to health care among economically disadvantaged individuals and individuals who are members of medically underserved populations;

''(ii) access to health care for uninsured individuals, including such individuals who are economically disadvantaged children;

''(iii) participation, among economically disadvantaged individuals and individuals who are members of medically underserved populations, in disease prevention and health promotion initiatives, particularly those with a focus on addressing common health conditions, addressing chronic diseases, and decreasing health disparities;

''(iv) health literacy of patients;

''(v) an additional indicator, relating to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, that the Corporation, in consultation with the Secretary of Health and Human Services and the Director of the Centers for Disease Control and Prevention, establishes for a given year;

''(vi) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section; and

''(vii) any additional local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) that is approved by the Corporation.

''(3) CLEAN ENERGY CORPS.—A Clean Energy Corps that identifies unmet environmental needs within communities through activities such as those described in subparagraph (A) and meets or exceeds the performance indicators under subparagraph (B).

''(A) ACTIVITIES.—A Clean Energy Corps described in this paragraph may carry out activities such as—

''(i) weatherizing and retrofitting housing units for low-income households to significantly improve the energy efficiency and reduce carbon emissions of such housing units;

''(ii) building energy efficient housing units in low-income communities;

''(iii) conducting energy audits for low-income households and recommending ways for the households to improve energy efficiency;

''(iv) the enhancement of renewable energy production by facilitating the installation or repair of renewable energy technologies;

''(v) assisting in emergency operations, such as disaster prevention and relief;

''(vi) the repair, renovation, or rehabilitation of an existing infrastructure facility including, but not limited to, rail, mass transportation, ports, inland navigation, schools and hospitals;

''(vii) working with schools and youth programs to educate students and youth about ways to reduce home energy use and improve the environment, including conducting service-learning projects to provide such education;

''(viii) assisting in the development of local recycling programs;

''(ix) improving national and State parks, city parks, county parks, forest preserves, and trails owned or maintained by the Federal Government or a State, including planting trees, carrying out reforestation, and making trail enhancements;

''(x) cleaning and improving rivers maintained by the Federal Government or a State;

''(xi) full-time, year-round youth corps program or full-time summer youth corps program, such as a conservation corps or youth service corps (including youth corps programs under subtitle I, the Public Lands Corps established under the Public Lands Corps Act of 1993, the Urban Youth Corps established under section 106 of the National and Community Service Trust Act of 1993, and other conservation corps or youth service corps that performs service on Federal or other public lands or on Indian lands or Hawaiian home lands), that—

''(I) undertakes meaningful service projects with visible public benefits, including projects involving urban renewal, sustaining natural resources, or improving human services;

''(II) includes as participants youths and young adults between the ages of 16 and 25, inclusive, and at least 50 percent of whom are out-of-school youths and other disadvantaged youths (such as youths with limited basic skills, youths in foster care who are becoming too old for foster care, youths of limited-English proficiency, homeless youths, youths who are individuals with disabilities), and youths who are economically disadvantaged who are between those ages; and

''(III) provides those participants who are youths and young adults with—

''(aa) crew-based, highly structured, and adult-supervised work experience, life skills, education, career guidance and counseling, employment training, and support services including mentoring; and

''(bb) the opportunity to develop citizenship values and skills through service to their community and the United States;

''(xii) projects designed to renew and rehabilitate National Park resources and enhance services and learning opportunities for National Park visitors, communities, and schools; and

''(xiii) other activities addressing unmet environmental needs as the Corporation may designate.

''(B) CLEAN ENERGY CORPS INDICATORS.—The corps indicators for a corps described in this paragraph are—

''(i) the number of housing units of low-income households weatherized or retrofitted to significantly improve energy efficiency and reduce carbon emissions;

''(ii) annual energy costs (to determine savings in those costs) at facilities where participants have provided service;

''(iii) the number of students and youth receiving education or training in energy-efficient and environmentally conscious practices;

''(iv) the number of national parks, State parks, city parks, county parks, forest preserves, or trails or rivers owned or maintained by the Federal Government or a State, that are cleaned or improved;

''(v) another indicator relating to clean energy that the Corporation, in consultation with the Administrator of the Environmental Protection Agency and the Secretary of Energy and the Department of Interior, as appropriate, establishes for a given year;

''(vi) another indicator relating to education or skill attainment for clean energy jobs that the Corporation, in consultation with the Secretary of Labor, establishes for a given year;

''(vii) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to clean energy, or education or skill attainment for clean energy jobs, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section; and

''(viii) any additional local indicator (applicable to a particular eligible entity and on which improvement in performance is needed) that is approved by the Corporation.

''(4) VETERANS' CORPS.—A Veterans' Corps that identifies unmet needs of veterans through activities such as those described in subparagraph (A) and meets or exceeds the performance indicators under subparagraph (B).

''(A) ACTIVITIES.—A Veterans' Corps described in this paragraph may carry out activities such as—

''(i) promoting community-based efforts to meet the unique needs of military families while a family member is deployed and upon that family member's return home;

''(ii) recruiting veterans, particularly returning veterans, into service opportunities;

''(iii) working to assist veterans in developing their educational opportunities, including opportunities for professional certification;

''(iv) promoting efforts within the community to serve the needs of veterans and active duty military members;

''(v) assisting veterans in developing mentoring relationships with economically disadvantaged students;

''(vi) developing projects to assist disabled, unemployed, and older veterans; and

''(vii) other activities addressing unmet veterans' needs as the Corporation may designate.

''(B) VETERANS' CORPS INDICATORS.—The corps indicators for a corps described in this paragraph are—

''(i) the number of housing units created for veterans;

''(ii) the number of veterans who pursue educational opportunities;

''(iii) the number of veterans receiving professional certification;

''(iv) outreach efforts to service organizations serving the needs to veterans;

''(v) the number of veterans engaged in service opportunities;

''(vi) the number of military families assisted by organizations while the family member is deployed and when the family member returns from deployment;

''(vii) the number of economically disadvantaged students engaged in mentoring relationships with veterans;

''(viii) projects designed to meet identifiable public needs with a specific emphasis on projects in support of veterans, especially disabled and older veterans;

''(ix) another indicator relating to education or skill attainment that assists in providing veterans with the skills to address identifiable public needs, that is approved by the Corporation;

''(x) other additional indicators that improve the lives of veterans and families of individuals deployed in service, that the Corporation, in consultation with the Department of Veterans Affairs, establishes for a given year; and

''(xi) any additional local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) that is approved by the Corporation.

''(b) ELIGIBLE OPPORTUNITY CORPS PROGRAMS.—The recipient of a grant under section 121(a) and each Federal agency operating or supporting a national service program under section 121(b) shall, directly or through grants or subgrants to other entities, carry out or support full-or part-time national service programs, including summer programs, to address unmet community needs.

''(1) ELIGIBLE PROGRAMS.—National service programs under this subsection shall be known as 'Opportunity Corps' and may include the following types of national service programs:

''(A) A community corps program that meets unmet human, educational, environmental, or public safety needs and promotes greater community unity through the use of organized teams of participants of varied social and economic backgrounds, skill levels, physical and developmental capabilities, ages, ethnic backgrounds, or genders.

''(B) A professional corps program that recruits and places qualified participants in positions—

''(i) such as teachers, nurses and other health care providers, police officers, early childhood development staff, engineers, or other professionals providing service to meet educational, human, environmental, or public safety needs in communities with an inadequate number of such professionals;

''(ii) that may include a salary in excess of the maximum living allowance authorized in subsection (a)(3) of section 140, as provided in subsection (c) of such section; and

''(iii) that are sponsored by public or private employers who agree to pay 100 percent of the salaries and benefits (other than any national service educational award under subtitle D) of the participants.

''(C) A community service program designed to meet the needs of rural communities, using teams or individual placements to address the development needs of rural communities, including the issues of rural poverty, health care, education, and job training.

''(D) A program that seeks to eliminate hunger in communities and rural areas through service in projects—

''(i) involving food banks, food pantries, and nonprofit organizations that provide food during emergencies;

''(ii) involving the gleaning of prepared and unprepared food that would otherwise be discarded as unusable so that the usable portion of such food may be donated to food banks, food pantries, and other nonprofit organizations;

''(iii) seeking to address the long-term causes of hunger through education and the delivery of appropriate services; or

''(iv) providing training in basic health, nutrition, and life skills necessary to alleviate hunger in communities and rural areas.

''(E) An E-Corps program that involves participants who provide services in a community by developing and assisting in carrying out technology programs which seek to increase access to technology and the benefits thereof in such community.

''(F) A program that engages citizens in public safety, public health, and emergency and disaster preparedness, and may include the recruitment and placing of qualified participants in positions to be trainees as law enforcement officers, firefighters, search and rescue personnel, and emergency medical service workers, and may engage Federal, State, and local stakeholders in collaboration to organize more effective responses to issues of public safety and public health, emergencies, and disasters.

''(G) A program, initiative, or partnership that seeks to expand the number of mentors for youths (including by recruiting high-school and college-aged individuals to enter into mentoring relationships), including mentors for disadvantaged youths, either through provision of direct mentoring services, provision of supportive services to direct mentoring service organizations (in the case of a partnership), or through the creative utilization of current and emerging technologies to connect youth with mentors.

''(H) A program that has the primary purpose of re-engaging court-involved youth and adults with the goal of reducing recidivism.

''(I) Programs to support the needs of veterans or active duty service members and their families, including providing opportunities to participate in service projects.

''(J) Such other national service programs addressing unmet human, educational, environmental, or public safety needs as the Corporation may designate.

''(2) OPPORTUNITY CORPS INDICATORS.—The corps indicators for programs under this subsection are—

''(A) financial literacy among economically disadvantaged individuals;

''(B) housing units built or improved for economically disadvantaged individuals or low-income families;

''(C) economically disadvantaged individuals with access to job training and other skill enhancement;

''(D) economically disadvantaged individuals with access to information about job placement services;

''(E) a reduced crime rate in the community where service is provided;

''(F) established or improved access to technology in the community where service is provided;

''(G) mentor relationships among disadvantaged youth;

''(H) food security among economically disadvantaged individuals;

''(I) service opportunities through the programs described in subparagraphs (A), (B), and (F) for economically disadvantaged individuals;

''(J) an additional indicator relating to improving economic opportunity for economically disadvantaged individuals that the Corporation, in consultation with the Secretary of Health and Human Services, the Secretary of Labor, and the Attorney General, establishes for a given year;

''(K) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to improving economic opportunity for economically disadvantaged individuals, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section;

''(L) increase capacity of local nonprofit organizations to meet the needs of disadvantaged people and communities;

''(M) any additional indicator proposed by a Governor or State Commission that is approved by the Corporation; and

''(N) any additional local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) that is approved by the Corporation.

''(c) PRIORITIES FOR CERTAIN REQUIRED CORPS.—In awarding financial assistance and approved national service positions to eligible entities proposed to carry out the required corps described in subsection (a)—

''(1) in the case of a corps described in subsection (a)(2)—

''(A) the Corporation may give priority to such eligible entities that propose to develop policies to provide, and provide, support for participants who, after completing service under this section, will undertake careers to improve performance on health indicators; and

''(B) the Corporation shall give priority to such eligible entities that propose to carry out national service programs in medically underserved areas (as designated by the Secretary of Health and Human Services as an area with a shortage of personal health services); and

''(2) in the case of a corps described in subsection (a)(3), the Corporation shall give priority to such eligible entities that propose to recruit individuals for the Clean Energy Corps so that significant percentages of participants in the Corps are economically disadvantaged individuals, and provide to such individuals support services and education and training to develop skills needed for clean energy jobs for which there is current demand or projected future demand.

''(d) CONSULTATION ON PERFORMANCE INDICATORS.—The Corporation shall consult with the Secretaries of Education, Health and Human Services, Energy, Veterans Affairs, Department of Interior, the Administrator of the Environmental Protection Agency, and the Attorney General, as appropriate, in developing additional performance indicators for the corps and programs described in subsections (a) and (b).

''(e) QUALIFICATION CRITERIA TO DETERMINE ELIGIBILITY.—

''(1) ESTABLISHMENT BY CORPORATION.—The Corporation shall establish qualification criteria for different types of national service programs for the purpose of determining whether a particular national service program should be considered to be a national service program eligible

to receive assistance or approved national service positions under this subtitle.

''(2) CONSULTATION.—In establishing qualification criteria under paragraph (1), the Corporation shall consult with organizations and individuals with extensive experience in developing and administering effective national service programs or regarding the delivery of human, educational, environmental, or public safety services to communities or persons.

''(3) APPLICATION TO SUBGRANTS.—The qualification criteria established by the Corporation under paragraph (1) shall also be used by each recipient of assistance under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

''(4) ENCOURAGEMENT OF INTERGENERATIONAL COMPONENTS OF PROGRAMS.—The Corporation shall encourage national service programs eligible to receive assistance or approved national service positions under this subtitle to establish, if consistent with the purposes of the program, an intergenerational component of the program that combines students, out-of-school youths, disadvantaged youth, and older adults as participants to provide services to address unmet human, educational, environmental, or public safety needs.

''(f) NATIONAL SERVICE PRIORITIES.—

''(1) ESTABLISHMENT.—

''(A) BY CORPORATION.—In order to concentrate national efforts on meeting certain human, educational, environmental, or veterans' needs and to achieve the other purposes of this Act, the Corporation, consistent with the strategic plan approved under section 192A(g)(1), shall establish (and may periodically alter) priorities regarding the types of national service programs and corps to be assisted under section 129 and the purposes for which such assistance may be used. In establishing such priorities, the Corporation—

''(i) shall select 2 or more of the corps described in subsection (a) to receive assistance under section 129(d); and

''(ii) may select other programs described in subsection (b) to receive assistance under such section.

''(B) BY STATES.—Consistent with paragraph (4), States shall establish, and through the national service plan process described in section 178(e)(1), periodically alter priorities as appropriate regarding the national service programs to be assisted under section 129(d) and 129(e). The State priorities shall be subject to Corporation review as part of the application process under section 130.

''(2) NOTICE TO APPLICANTS.—The Corporation shall provide advance notice to potential applicants of any national service priorities to be in effect under this subsection for a fiscal year. The notice shall specifically include—

''(A) a description of any alteration made in the priorities since the previous notice; and

''(B) a description of the national service programs that are designated by the Corporation under section 133(d)(2) as eligible for priority consideration in the next competitive distribution of assistance under section 121(a).

''(3) REGULATIONS.—The Corporation shall by regulation establish procedures to ensure the equitable treatment of national service programs that—

''(A) receive funding under this subtitle for multiple years; and

''(B) would be adversely affected by annual revisions in such national service priorities.

''(4) APPLICATION TO SUBGRANTS.—Any national service priorities established by the Corporation under this subsection shall also be used by each recipient of funds under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

''(g) REQUIREMENTS FOR TUTORS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Corporation shall require that each recipient of assistance under the national service laws that operates a tutoring program involving elementary or secondary school students certifies that individuals serving in approved national service positions as tutors in such program have—

''(A) either—

''(i) obtained their high school diploma; or

''(ii) passed a proficiency test demonstrating that such individuals have the skills necessary to achieve program goals; and

''(B) have successfully completed pre- and in-service training for tutors.

''(2) EXCEPTION.—The requirements in paragraph (1) do not apply to an individual serving in an approved national service position who is enrolled in an elementary or secondary school and is providing tutoring services through a structured, school-managed cross-grade tutoring program.

''(h) REQUIREMENTS FOR TUTORING PROGRAMS.—Each tutoring program that receives assistance under the national service laws shall—

''(1) offer a curriculum that is high quality, research-based, and consistent with the State academic content standards required by section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) and the instructional program of the local educational agency; and

''(2) offer high quality, research-based pre- and in-service training for tutors.

''(i) CITIZENSHIP TRAINING.—The Corporation shall establish requirements for recipients of assistance under the national service laws relating to the promotion of citizenship and civic engagement, that are consistent with the principles on which citizenship programs administered by U.S. Citizenship and Immigration Services are based and are appropriate to the age, education, and experience of the participants enrolled in approved national service positions and approved summer of service positions.

''(j) REPORT.—Not later than 60 days after the end of each fiscal year for which the Corporation makes grants under section 121(a), the Corporation shall prepare and submit to the appropriate committees of Congress a report containing—

''(1) information describing how the Corporation allocated financial assistance and approved national service positions among eligible entities proposed to carry out national service corps described in that subsection (a) for that fiscal year; and

''(2) information describing the amount of financial assistance and the number of approved national service positions the Corporation provided to each national service corps described in subsection (a) for that fiscal year;

''(3) a measure of the extent to which the national service corps improved performance on the corresponding indicators; and

''(4) information describing how the Corporation is coordinating—

''(A) the national service corps funded under subsection (a); with

''(B) applicable programs, as determined by the Corporation, carried out under subtitles B of this title, and part A of title I and parts A and B of title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq., 5001, 5011) that improve performance on those indicators or otherwise address identified community needs.''.

SEC. 1303. TYPES OF POSITIONS.

Section 123 (42 U.S.C. 12573) is amended—

(1) in paragraph (2)(A) by inserting after ''subdivision of a State,'' the following: ''a Territory,''; and

(2) in paragraph (5) by inserting ''National'' before ''Civilian Community Corps''.

SEC. 1304. CONFORMING REPEAL RELATING TO TRAINING AND TECHNICAL ASSISTANCE.

Section 125 (42 U.S.C. 12575) is repealed.

SEC. 1305. ASSISTANCE TO STATE COMMISSIONS; CHALLENGE GRANTS.

Section 126 (42 U.S.C. 12576) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''$125,000 and $750,000'' and inserting ''$250,000 and $1,000,000''; and

(B) by striking paragraph (2) and inserting the following:

''(2) MATCHING REQUIREMENT.—In making grants to a State under this subsection, the Corporation shall require the State to provide matching funds of $1 from non-Federal sources for every $1 provided by the Corporation.

''(3) ALTERNATIVE.—Notwithstanding paragraph (2), the Chief Executive Officer may permit a State that demonstrates hardship or a new State Commission to use an alternative match as follows:

''(A) FIRST $100,000.—For the first $100,000 of grant amounts provided by the Corporation, a State shall not be required to provide matching funds.

''(B) AMOUNTS GREATER THAN $100,000.—For grant amounts of more than $100,000 and not exceeding $200,000 provided by the Corporation, a State shall provide $1 from non-Federal sources for every $2 provided by the Corporation.

''(C) AMOUNTS GREATER THAN $200,000.—For grant amounts of more than $200,000 provided by the Corporation, a State shall provide $1 from non-Federal sources for every $1 provided by the Corporation.

''(D) RESERVATION OF FUNDS.—The corporation shall ensure that it reserves funds for assistance provided under section 126(a) at an aggregate amount equal to that of at least 150 percent allocated in fiscal year 2004 for the first full fiscal year after the date of enactment of the GIVE Act. Each subsequent year the corporation shall increase the amount reserved proportionately including minimum and maximum amounts described in paragraph (1) to the amount of program funding allocated in subtitle C.'';

(2) in subsection (b), by striking the period and inserting ''and to support, including through mission-assignments under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5147), nonprofit organizations and public agencies responding to the needs of communities in disasters.''; and

(3) in subsection (c)—

(A) in paragraph (1), by striking ''to national service programs that receive assistance under section 121'' and inserting ''to programs supported under the national service laws''; and

(B) by striking paragraph (3) and inserting the following:

''(3) AMOUNT OF ASSISTANCE.—A challenge grant under this subsection may provide, for an initial 3-year grant period, not more than $1 of assistance under this subsection for each $1 in cash raised from private sources by the program supported under the national service laws in excess of amounts required to be provided by the program to satisfy matching funds requirements. After an initial 3-year grant period, grants under this subsection may provide not more than $1 of assistance for each $2 in cash raised from private sources by the program in excess of amounts required to be provided by the program to satisfy matching funds requirements. The Corporation may permit the use of local or State funds as matching funds if the Corporation determines that such use would be equitable due to a lack of available private funds at the local level. The Corporation shall establish a ceiling on the amount of assistance that may be provided to a national service program under this subsection.''.

SEC. 1306. ALLOCATION OF ASSISTANCE TO STATES AND OTHER ELIGIBLE ENTITIES.

Section 129 (42 U.S.C. 12581) is amended to read as follows:

''SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

''(a) 1-PERCENT ALLOTMENT FOR CERTAIN TERRITORIES.—Of the funds allocated by the

Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve 1 percent for grants to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands upon approval by the Corporation of an application submitted under section 130. The amount allotted as a grant to each such Territory under this subsection for a fiscal year shall be equal to the amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the Territory bears to the total population of such Territories.

''(b) ALLOTMENT FOR INDIAN TRIBES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve at least 1 percent for grants to Indian tribes, including nonprofit organizations applying on behalf of a tribe or tribes, to be allotted by the Corporation on a competitive basis. In the case of a nonprofit organization applying on behalf of a tribe or tribes such nonprofit organization shall include in its application—

''(1) written documentation from such tribe or tribes that such tribe or tribes has approved the application and authorized such nonprofit organization to submit an application on the behalf of the tribe or tribes; and

''(2) certification that the nonprofit organization will use the grant exclusively to serve members of such tribe or tribes and will, to the maximum extent practicable, do so on tribal lands.

''(c) RESERVATION OF APPROVED POSITIONS.—The Corporation shall ensure that each individual selected during a fiscal year for assignment as a VISTA volunteer under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or as a participant in the Civilian Community Corps Demonstration Program under subtitle E shall receive the national service educational award described in subtitle D if the individual satisfies the eligibility requirements for the award. Funds for approved national service positions required by this paragraph for a fiscal year shall be deducted from the total funding for approved national service positions to be available for distribution under subsections (d) and (e) for that fiscal year.

''(d) ALLOTMENT FOR COMPETITIVE GRANTS.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year and subject to section 133(d)(3), the Corporation shall reserve up to 62.7 percent for grants awarded on a competitive basis to States for national service programs and to nonprofit organizations seeking to operate a national service program in 2 or more States.

''(e) ALLOTMENT TO CERTAIN STATES ON FORMULA BASIS.—

''(1) GRANTS.—Of the funds allocated by the Corporation for provision of assistance under subsection (a) of section 121 for a fiscal year, the Corporation shall make a grant to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that submits an application under section 130 that is approved by the Corporation.

''(2) ALLOTMENTS.—The amount allotted as a grant to each such State under this subsection for a fiscal year shall be equal to the amount that bears the same ratio to 35.3 percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, in compliance with paragraph (3).

''(3) MINIMUM AMOUNT.—Notwithstanding paragraph (2), the minimum grant made available to each State approved by the Corporation under paragraph (1) for each fiscal year must be at least $600,000, or 0.5 percent of the amount allocated for the State formula under this section, whichever is greater.

''(f) EFFECT OF FAILURE TO APPLY.—If a State or Territory fails to apply for, or fails to give notice to the Corporation of its intent to apply for an allotment under this section, or the Corporation does not approve the application consistent with section 133, the Corporation may use the amount that would have been allotted under this section to the State or Territory to—

''(1) make grants (and provide approved national service positions in connection with such grants) to other community-based organizations under section 121 that propose to carry out national service programs in such State or Territory; and

''(2) make a reallotment to other States or Territories with approved applications submitted under section 130, to the extent community-based organizations do not apply as described in paragraph (1).

''(g) APPLICATION REQUIRED.—The allotment of assistance and approved national service positions to a recipient under this section shall be made by the Corporation only pursuant to an application submitted by a State or other applicant under section 130.

''(h) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allowable national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

''(i) SPONSORSHIP OF APPROVED NATIONAL SERVICE POSITIONS.—

''(1) SPONSORSHIP AUTHORIZED.—The Corporation may enter into agreements with persons or entities who offer to sponsor national service positions for which the person or entity will be responsible for supplying the funds necessary to provide a national service educational award. The distribution of these approved national service positions shall be made pursuant to the agreement, and the creation of these positions shall not be taken into consideration in determining the number of approved national service positions to be available for distribution under this section.

''(2) DEPOSIT OF CONTRIBUTION.—Funds provided pursuant to an agreement under paragraph (1) shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.

''(j) RESERVATION OF FUNDS FOR SPECIAL ASSISTANCE.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriations in section 501(a)(2) and subject to the limitation in such section, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under section 126.

''(k) RESERVATION OF FUNDS TO INCREASE THE PARTICIPATION OF INDIVIDUALS WITH DISABILITIES.—

''(1) RESERVATION.—To make grants to public or private nonprofit organizations to increase the participation of individuals with disabilities in national service and for demonstration activities in furtherance of this purpose, and subject to the limitation in paragraph (2), the Chief Executive Officer shall reserve not less than 1 percent from the amount allocated to carry out program grants under the national service laws.

''(2) LIMITATION.—The amount reserved in paragraph (1) may not exceed $10,000,000.

''(3) REMAINDER.—After making grants under subsection (k), excess funds may be used by the Chief Executive Officer for other activities under section 501(a)(2).

''(l) AUTHORITY FOR FIXED-AMOUNT GRANTS.—

''(1) IN GENERAL.—

''(A) AUTHORITY.—From amounts appropriated for a fiscal year to provide financial assistance under the national service laws, the Corporation, subject to the limitation in subparagraph (B) may provide assistance in the form of fixed-amount grants in an amount determined by the Corporation under paragraph (2) rather than on the basis of actual costs incurred by a program.

''(B) LIMITATION.—Other than fixed-amount grants to support programs described in section 129A, for the 1-year period beginning on the date of enactment of the GIVE Act, the Corporation may provide assistance in the form of fixed-amount grants only to support full-time positions.

''(2) DETERMINATION OF AMOUNT OF FIXED-AMOUNT GRANTS.—A fixed-amount grant authorized by this subsection shall be in an amount determined by the Corporation that is—

''(A) significantly less than the reasonable and necessary costs of administering the program receiving the grant; and

''(B) based on the amount per individual enrolled in the program receiving the grant, taking into account—

''(i) the program's capacity to manage funds and achieve programmatic results;

''(ii) the number of national service positions approved for the program;

''(iii) the proposed design of the program;

''(iv) whether the program provides service to or involves the participation of disadvantaged youth or otherwise would reasonably incur a relatively higher level of costs; and

''(v) such other factors as the Corporation may consider under section 133 in considering applications for assistance.

''(3) REQUIREMENTS FOR GRANT RECIPIENTS.—In awarding a fixed-amount grant under this subsection, the Corporation—

''(A) shall require the grant recipient—

''(i) to return a pro rata amount of the grant funds based upon the difference between the number of hours served by a participant and the minimum number of hours for completion of a term of service (as established by the Corporation);

''(ii) to report on standardized and other performance measures established by the Corporation;

''(iii) to cooperate with any evaluation activities undertaken by the Corporation; and

''(iv) to provide assurances that additional funds shall be raised in support of the proposed program, in addition to those received under the national service laws; and

''(B) may adopt other terms and conditions as it considers necessary or appropriate based on the relative risks (as determined by the Corporation) associated with any application for a fixed-amount grant.

''(4) OTHER REQUIREMENTS NOT APPLICABLE.—Limitations on administrative costs and matching fund documentation requirements shall not apply to fixed-amount grants provided in accordance with this subsection.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall relieve a grant recipient of the responsibility to comply with the requirements of the Single Audit Act (31 U.S.C. 7501 et seq.) or other requirements of Office of Management and Budget Circular A–133.''.

SEC. 1307. ADDITIONAL AUTHORITY.

Part II of subtitle C of title I is amended by inserting after section 129 (42 U.S.C. 12581) the following:

''SEC. 129A. EDUCATION AWARDS ONLY PROGRAM.

''(a) IN GENERAL.—From amounts appropriated for a fiscal year to provide financial assistance under this subtitle and consistent with the restriction in subsection (b), the Corporation may, through fixed-amount grants (in accordance with section 129(l)), provide operational assistance to programs that receive approved national service positions but do not receive funds under section 121(a).

''(b) LIMIT ON CORPORATION GRANT FUNDS.—Operational support under this section may not

exceed $600 per individual enrolled in an approved national service position and may reach $800 per individual if the program supports at least 50 percent disadvantaged youth.

''(c) ADJUSTMENTS FOR INFLATION.—For each year after 2008, the amounts specified in subsection (b) shall be adjusted for inflation as measured by the Consumer Price Index for all Urban Consumers published by the Secretary of Labor.

''(d) INAPPLICABLE PROVISIONS.—The provisions under section 129(l)(4) and the living allowances and other benefits under sections 131(e) and section 140 (other than individualized support services for disabled members under section 140(f)) shall not apply to programs that receive assistance under this section.''.

SEC. 1308. STATE SELECTION OF PROGRAMS.

Section 130 (42 U.S.C. 12582) is amended—

(1) in subsection (a)—

(A) by inserting after ''State,'' the following: ''Territory,''; and

(B) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education'';

(2) in subsection (b)—

(A) in paragraph (9), by striking ''section 122(c)'' and inserting ''section 122(f)''; and

(B) in paragraph (12), by inserting ''municipalities and county governments in the areas being served,'' after ''services,''.

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''jobs or positions'' and inserting ''proposed positions''; and

(ii) by striking '', including'' and all that follows through the period at the end and inserting a period;

(B) in paragraph (2) by inserting ''proposed'' before ''minimum''; and

(C) by adding at the end the following:

''(3) In the case of a nonprofit organization operating programs in 2 or more States, a description of the manner and extent to which the State Commissions of each State in which the nonprofit organization intends to operate were consulted and the nature of the consultation.'';

(4) by redesignating subsections (d) through (g) as subsections (e) through (h), respectively and inserting after subsection (c) the following:

''(d) ADDITIONAL REQUIRED APPLICATION INFORMATION.—An application submitted under subsection (a) for programs described in 122(a) shall also contain—

''(1) measurable goals, to be used for annual measurements of the program on 1 or more of the corresponding performance indicators;

''(2) information describing how the applicant proposes to utilize funds to improve performance on the corresponding performance indicators utilizing participants, including the activities in which such participants will engage to improve performance on those indicators;

''(3) information identifying the geographical area in which the eligible entity proposed to carry out the program proposes to use funds to improve performance on the corresponding performance indicators including demographic information on the students or individuals, as appropriate, in such area, and statistics demonstrating the need to improve such indicators in such area; and

''(4) if applicable, information on how the eligible entity will work with other community-based agencies to carry out activities to improve performance on the corresponding performance indicators using such funds.'';

(5) in subsection (f)(2) (as so redesignated) by striking ''were selected'' and inserting ''were or will be selected'';

(6) in subsection (g) (as so redesignated)—

(A) in paragraph (1), by striking ''a program applicant'' and inserting ''an applicant''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''PROGRAM APPLICANT'' and inserting ''APPLICANT'';

(ii) in the matter preceding subparagraph (A), by striking ''program applicant'' and inserting ''applicant'';

(iii) in subparagraph (A)—

(I) by inserting after ''subdivision of a State,'' the following: ''Territory,''; and

(II) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education''; and

(iv) in subparagraph (B)—

(I) by inserting after ''subdivision of a State,'' the following: ''Territory,''; and

(II) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education''; and

(7) in subsection (h) (as so redesignated), by striking the period and inserting ''or is already receiving financial assistance from the Corporation.''.

SEC. 1309. NATIONAL SERVICE PROGRAM ASSISTANCE REQUIREMENTS.

Section 131(c) (42 U.S.C. 12583(c)) is amended—

(1) in paragraph (1)—

(A) by amending subparagraph (A) to read as follows:

''(A) the community served, including, if appropriate, municipal and county governments in the area served, and potential participants in the program;'';

(B) in subparagraph (B), by inserting ''and'' after ''program;''; and

(C) by adding at the end the following:

''(C) municipalities and county governments in the areas being served;''; and

(2) by amending paragraph (3) to read as follows:

''(3) in the case of a program that is not funded through a State, including programs operated by nonprofit organizations seeking to operate a national service program in 2 or more States—

''(A) consult with and coordinate with the State Commission for the State in which the program operates; and

''(B) obtain confirmation from the State Commission that the applicant seeking assistance under this Act has consulted with and coordinated with the State Commission when seeking to operate a program in that State.''.

SEC. 1310. CONSIDERATION OF APPLICATIONS.

Section 133 (42 U.S.C. 12585) is amended—

(1) in subsection (c)(6), insert after subparagraph (E) the following:

''(F) Areas that have a mortgage foreclosure rate greater than the national average mortgage foreclosure rate for the most recent 12 months for which satisfactory data are available.'';

(2) in subsection (b)(2)(B), by striking ''jobs or''; and

(3) in subsection (d)(2)—

(A) by striking ''and'' at the end of subparagraph (F);

(B) by striking the period at the end of subparagraph (G) and inserting a semicolon; and

(C) by adding at the end the following:

''(H) programs that recruit veterans, particularly returning veterans, into service opportunities; and

''(I) programs that promote community-based efforts to meet the unique needs of military families while a member of the family is deployed, or when a member of the family returns from deployment.''.

SEC. 1311. DESCRIPTION OF PARTICIPANTS.

Section 137 (42 U.S.C. 12591) is amended—

(1) in subsection (a)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively;

(2) in subsection (b)—

(A) in paragraph (1), by striking ''paragraph (4)'' and inserting ''paragraph (3)''; and

(B) in paragraph (2), by striking ''between the ages of 16 and 25'' and inserting ''a 16-year-old out of school youth or an individual between the ages of 17 and 25''; and

(3) in subsection (c), by striking ''(a)(5)'' and inserting ''(a)(4)''.

SEC. 1312. SELECTION OF NATIONAL SERVICE PARTICIPANTS.

Section 138 (42 U.S.C. 12592) is amended—

(1) in subsection (a) by striking ''conducted by the State'' and all that follows through ''or other entity'' and inserting ''conducted by the entity''; and

(2) in subsection (e)(2)(C) by inserting before the semicolon at the end the following: '', particularly those who were considered at the time of their service disadvantaged youth''.

SEC. 1313. TERMS OF SERVICE.

Section 139 (42 U.S.C. 12593) is amended—

(1) in subsection (b)(1), by striking ''not less than 9 months and'';

(2) in subsection (b)(2), by striking ''during a period of—'' and all that follows through the period at the end and inserting ''during a period of not more than 2 years.''; and

(3) in subsection (b) by inserting at the end the following:

''(4) EXTENSION OF TERM FOR DISASTER PURPOSES.—

''(A) An individual in an approved national service position performing service directly related to disaster relief efforts may continue in a term of service for a period of 90 days beyond the period otherwise specified in sections 139(b) and 153 (e) or in section 104 of the Domestic Volunteer Service Act of 1973.

''(B) Service performed by an individual in an originally-agreed to term of service and service performed under this paragraph shall constitute a single term of service for purposes of sections 146(b) and (c) but may not receive an additional education award under section 141.'';

(4) in subsection (c)—

(A) in paragraph (1)(A), by striking ''as demonstrated by the participant'' and inserting ''as determined by the organization responsible for granting a release, if the participant has otherwise performed satisfactorily and has completed at least 15 percent of the original term of service'';

(B) in paragraph (2)(A), by striking ''provide to the participant that portion of the national service educational award'' and inserting ''certify the participant's eligibility for that portion of the national service educational award''; and

(C) in paragraph (2)(B), by striking ''to allow return to the program with which the individual was serving in order''.

SEC. 1314. ADJUSTMENTS TO LIVING ALLOWANCE.

Section 140 (42 U.S.C. 12594) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''paragraph (3)'' and inserting ''paragraphs (2) and (3)'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as (2);

(D) by inserting after paragraph (2) (as so redesignated) the following:

''(3) FEDERAL WORK-STUDY STUDENTS.—The living allowance that may be provided to an individual whose term of service includes hours for which the individual receives Federal work study wages shall be reduced by the amount of the individual's Federal work study award.''; and

(E) in paragraph (4), by striking ''a reduced term of service under section 139(b)(3)'' and inserting ''a term of service that is less than 12 months'';

(2) in subsection (b), by striking ''shall include an amount sufficient to cover 85 percent of such taxes'' and all that follows through the period at the end and inserting ''may be used to pay such taxes.'';

(3) in subsection (c)—

(A) in paragraph (1) by adding ''and'' at the end;

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as (2);

(4) in subsection (d)(1), by striking the second sentence; and

(5) by striking subsections (g) and (h).

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

SEC. 1401. AVAILABILITY OF FUNDS IN THE NATIONAL SERVICE TRUST.

Section 145 (42 U.S.C. 12601) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B), by striking ''section 148(e)'' and inserting ''section 148(f)''; and

(B) in paragraph (2), by striking ''pursuant to section 196(a)(2)'' and inserting ''pursuant to section 196(a)(2), if the terms of such donations direct that they be deposited in the National Service Trust''; and

(2) in subsection (c), by striking ''for payments of national service educational awards in accordance with section 148.'' and inserting ''for—

''(1) payments of summer of service educational awards and national service educational awards in accordance with section 148; and

''(2) payments of interest in accordance with section 148(f).''.

SEC. 1402. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL SERVICE EDUCATIONAL AWARD FROM THE TRUST.

Section 146 (42 U.S.C. 12602) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''if the individual'' and inserting ''if the organization responsible for an individual's supervision certifies that the individual'';

(B) by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) met the applicable eligibility requirements for the position; and

''(2)(A) for a full-time or part-time educational award, successfully completed the required term of service described in subsection (b) in an approved national service position; or

''(B) for a partial educational award—

''(i) satisfactorily performed prior to being granted a release for compelling personal circumstances under section 139(c); and

''(ii) served at least 15 percent of the required term of service described in subsection (b); and''; and

(C) by redesignating paragraph (4) as paragraph (3);

(2) by striking subsection (c) and inserting the following:

''(c) LIMITATION ON RECEIPT OF NATIONAL SERVICE EDUCATIONAL AWARDS.—An individual may not receive, in national service educational awards, more than an amount equal to the aggregate value of 2 such awards for full-time service. The aggregate value of summer of service educational awards that an individual receives shall have no effect on the aggregate value of national service educational awards the individual may receive.'';

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''SEVEN-YEAR REQUIREMENT'' and inserting ''IN GENERAL'';

(ii) by striking ''An'' and inserting ''Subject to paragraph (2), an''; and

(B) in paragraph (2)—

(i) in subparagraph (A) by striking ''or'' at the end;

(ii) in subparagraph (B) by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(C) is an individual eligible to receive a summer of service educational award, in which case the individual shall have a 10-year period to use such educational award beginning on the date that the individual completes the term of service that is the basis of such educational award.''; and

(4) in subsection (e)(1)—

(A) by inserting after ''qualifying under this section'' the following: ''or under section 120(c)(8)''; and

(B) by inserting after ''to receive a national service educational award'' the following: ''or a summer of service educational award''.

SEC. 1403. DETERMINATION OF THE AMOUNT OF NATIONAL SERVICE EDUCATIONAL AWARDS.

Section 147 (42 U.S.C. 12603) is amended—

(1) by amending subsection (a) to read as follows:

''(a) AMOUNT FOR FULL-TIME NATIONAL SERVICE.—Except as provided in subsection (c), an individual described in section 146(a) who successfully completes a required term of full-time national service in an approved national service position shall receive a national service educational award having a value equal to the maximum amount of a Federal Pell Grant that a student eligible under section 401(b)(2)(A) of the Higher Education Act of 1965 may receive for the award year for which the national service position is approved by the Corporation.''; and

(2) in subsection (b), by inserting after ''for each of not more than 2 of such terms of service'' the following: ''in the period of one year''.

SEC. 1404. DISBURSEMENT OF EDUCATIONAL AWARDS.

Section 148 (42 U.S.C. 12604) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''cost of attendance'' and inserting ''cost of attendance or other educational expenses'';

(B) in paragraph (3), by striking ''and'';

(C) by redesignating paragraph (4) as paragraph (5); and

(D) by inserting after paragraph (3) the following:

''(4) to pay expenses incurred in enrolling in an educational institution or training establishment that meets the requirements of chapter 36 of title 38, United States Code (38 U.S.C. 3451 et seq.); and'';

(2) in subsection (b)(1) by inserting after ''the national service educational award of the individual'' the following: '', or an eligible individual under section 120(c)(8) who received a summer of service educational award'';

(3) in subsection (b)(2) by inserting after ''the national service educational award'' the following: ''or the summer of service educational award, as applicable,'';

(4) in subsection (b)(5) by inserting after ''the national service educational award'' the following: ''or the summer of service educational award, as applicable'';

(5) in subsection (b)(7)—

(A) in subparagraph (A), by striking '', other than a loan to a parent of a student pursuant to section 428B of such Act (20 U.S.C. 1078–2); and'' and inserting a semicolon;

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

(C) by adding at the end the following:

''(C) any loan (other than a loan described in subparagraph (A) or (B)) determined by an institution of higher education to be necessary to cover a student's educational expenses and made, insured, or guaranteed by—

''(i) an eligible lender, as defined in section 435 of the Higher Education Act of 1965 (20 U.S.C. 1085);

''(ii) the direct student loan program under part D of title IV of such Act;

''(iii) a State agency; or

''(iv) a lender otherwise determined by the Corporation to be eligible to receive disbursements from the National Service Trust.'';

(6) in subsection (c)(1), by inserting after ''national service educational award'' the following: '', or an eligible individual under section 120(c)(8) who desires to apply the individual's summer of service educational award,'';

(7) in subsection (c)(2)(A), by inserting after ''national service educational award'' the following: ''or summer of service educational award, as applicable,'';

(8) in subsection (c)(2)(C)(iii), by inserting after ''national service educational awards received under this subtitle'' the following: ''or summer of service educational awards received under section 120(c)(8)'';

(9) in subsection (c)(3), by inserting after ''national service educational awards'' the following: ''and summer of service educational awards'';

(10) in subsection (c)(5)—

(A) by inserting after ''national service educational award'' the following: '', or summer of service educational award, as applicable,''; and

(B) by inserting after ''additional'' the following: ''summer of service educational awards and additional'';

(11) in subsection (c)(6), by inserting after ''national service educational award'' the following: ''and summer of service educational award'';

(12) in subsection (d), by inserting after ''national service educational awards'' the following: ''and summer of service educational awards'';

(13) in subsection (e), by striking ''subsection (b)(6)'' and inserting ''subsection (b)(7)''; and

(14) in subsection (f), by striking ''Director'' and inserting ''Chief Executive Officer''.

SEC. 1405. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

(a) IN GENERAL.—Subtitle D of title I (42 U.S.C. 12601 et seq.) is further amended by adding at the end the following new section:

''SEC. 149. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

''(a) TIMING AND RECORDING REQUIREMENTS.—

''(1) IN GENERAL.—Notwithstanding subtitles C and D, and any other provision of law, in approving a position as an approved national service position, the Corporation—

''(A) shall approve the position at the time the Corporation—

''(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of this Act or under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), or a summer of service educational award; or

''(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position is approved under section 123; and

''(B) shall record as an obligation an estimate of the net present value of the national service educational award associated with the position, based on a formula that takes into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards for such a program and remain available.

''(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

''(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to the appropriate committees of Congress a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

''(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position that the Corporation approves—

''(A) during fiscal year 2009; and

''(B) during any subsequent fiscal year.

''(b) RESERVE ACCOUNT.—

''(1) ESTABLISHMENT AND CONTENTS.—

''(A) ESTABLISHMENT.—Notwithstanding subtitles C and D, and any other provision of law, within the National Service Trust established under section 145, the Corporation shall establish a reserve account.

''(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions for each fiscal year, the Corporation shall place in the account—

''(i) during fiscal year 2009, a portion of the funds that were appropriated for fiscal year 2009 or a previous fiscal year under section 501(a)(2), were made available to carry out subtitle C, D, or E of this title, subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service under section 120(c)(8), and remain available; and

''(ii) during fiscal year 2009 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section

501(a)(2) and were made available to carry out subtitle C, D, or E of this title, subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service under section 111(a)(5), and remain available.

''(2) OBLIGATION.—The Corporation shall not obligate the funds in the reserve account until the Corporation—

''(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions and summer of service educational awards; or

''(B) obligates the funds for the payment of national service educational awards for such previously approved national service positions or summer of service educational awards, as applicable.

''(c) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (a)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (a)(3).

''(d) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (b), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) shall be available for payments of national service educational awards or summer of service educational awards under section 148.''.

(b) CONFORMING REPEAL.—Section 2 of the Strengthen AmeriCorps Program Act (Public Law 108–145; 117 Stat. 844; 42 U.S.C. 12605) is repealed.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

SEC. 1501. PURPOSE.

Section 151 (42 U.S.C. 12611) is amended to read as follows:

''SEC. 151. PURPOSE.

''It is the purpose of this subtitle to authorize the operation of, and support for, residential and other service programs that combine the best practices of civilian service with the best aspects of military service, including leadership and team building, to meet national and community needs. Such needs to be met under such programs include those related to—

''(1) natural and other disasters;

''(2) infrastructure improvement;

''(3) environmental stewardship and conservation;

''(4) energy conservation;

''(5) urban and rural development; and

''(6) other unmet needs consistent with the purpose as described in this section.''.

SEC. 1502. PROGRAM COMPONENTS.

Section 152 (42 U.S.C. 12612) is amended—

(1) by amending the section heading to read as follows:

''SEC. 152. ESTABLISHMENT OF NATIONAL CIVILIAN COMMUNITY CORPS PROGRAM.''.

(2) in subsection (a), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program'';

(3) in subsection (b)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''a Civilian Community Corps'' and inserting ''a National Civilian Community Corps'';

(4) in the heading of subsection (c), by striking ''PROGRAMS'' and inserting ''COMPONENTS''; and

(5) in subsection (c), by striking ''program components are residential programs'' and all that follows and inserting ''programs referred to in subsection (b) may include a residential component.''.

SEC. 1503. ELIGIBLE PARTICIPANTS.

Section 153 (42 U.S.C. 12613) is amended—

(1) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''on Civilian Community Corps'' and inserting ''on National Civilian Community Corps'';

(2) in subsection (b), by striking ''if the person'' and all that follows through the period at the end and inserting ''if the person will be at least 18 years of age on or before December 31 in the calendar year in which the individual enrolls in the program.'';

(3) in subsection (c)—

(A) by striking ''BACKROUNDS'' and inserting ''BACKGROUNDS''; and

(B) by adding at the end the following: ''The Director shall take appropriate steps, including through outreach and recruitment activities carried out by the chief executive officer, to increase the percentage of participants in the program who are disadvantaged youth toward 50 percent of all participants by year 2011. The Director shall report to the appropriate committees of Congress biennially on such efforts, any challenges faced, and the annual participation rates of disadvantaged youth in the program.''; and

(4) by striking subsection (e).

SEC. 1504. SUMMER NATIONAL SERVICE PROGRAM.

Section 154 (42 U.S.C. 12614) is amended—

(1) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''on Civilian Community Corps'' and inserting ''on National Civilian Community Corps''; and

(2) in subsection (b), by striking ''shall be'' and all that follows through the period at the end and inserting ''shall be from economically and ethnically diverse backgrounds, including youth who are in foster care.''.

SEC. 1505. TEAM LEADERS.

Section 155 (42 U.S.C. 12615) is amended—

(1) by amending the section heading to read as follows:

''SEC. 155. NATIONAL CIVILIAN COMMUNITY CORPS.'';

(2) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''the Civilian Community Corps shall'' and inserting ''the National Civilian Community Corps shall'';

(3) in subsection (b)—

(A) by amending the subsection heading to read as follows:

''(b) MEMBERSHIP IN NATIONAL CIVILIAN COMMUNITY CORPS.—'';

(B) in paragraph (1), by inserting ''National'' before ''Civilian Community Corps'';

(C) in paragraph (3)—

(i) by striking ''superintendent'' and inserting ''campus director''; and

(ii) by striking ''camp'' and inserting ''campus''; and

(D) by adding at the end the following:

''(4) TEAM LEADERS.—The Director may select from Corps members individuals with prior supervisory or service experience to be team leaders within units in the National Civilian Community Corps to perform service that includes leading and supervising teams of Corps members. Team leaders shall—

''(A) be selected without regard to the age limitation under section 153(b);

''(B) be members of the National Civilian Community Corps; and

''(C) be provided the rights and benefits applicable to Corps members, except that the limitation on the amount of living allowance shall not exceed 10 percent more than the amount established under section 158(b).'';

(4) in subsection (d)—

(A) by amending the subsection heading to read as follows:

''(d) CAMPUSES.—'';

(B) in paragraph (1)—

(i) by amending the paragraph heading to read as follows:

''(1) UNITS TO BE ASSIGNED TO CAMPUSES.—'';

(ii) by striking ''in camps'' and inserting ''in campuses'';

(iii) by striking ''camp'' and inserting ''campus''; and

(iv) by striking ''in the camps'' and inserting ''in the campuses'';

(C) by amending paragraph (2) to read as follows:

''(2) CAMPUS DIRECTOR.—There shall be a campus director for each campus. The campus director is the head of the campus.'';

(D) in paragraph (3)—

(i) by amending the paragraph heading to read as follows:

''(3) ELIGIBLE SITE FOR CAMPUS.—'';

(ii) by striking ''A camp may be located'' and inserting ''A campus must be cost-effective and may, upon the completion of a feasibility study, be located'';

(5) in subsection (e)—

(A) by amending the paragraph heading to read as follows:

''(e) DISTRIBUTION OF UNITS AND CAMPUSES.—'';

(B) by striking ''camps are distributed'' and inserting ''campuses are cost-effective and are distributed''; and

(C) by striking ''rural areas'' and all that follows through the period at the end and inserting ''rural areas such that each Corps unit in a region can be easily deployed for disaster and emergency response to such region.''; and

(6) in subsection (f)—

(A) in paragraph (1)—

(i) by striking ''superintendent'' and inserting ''campus director''; and

(ii) by striking ''camp'' both places such term appears and inserting ''campus'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''superintendent of a camp'' and inserting ''campus director of a campus'';

(ii) in subparagraph (A)—

(I) by striking ''superintendent'' and inserting ''campus director'';

(II) by striking ''superintendent's'' and inserting ''campus director's''; and

(III) by striking ''camp'' each place such term appears and inserting ''campus''; and

(iii) in subparagraph (B), by striking ''superintendent'' and inserting ''campus director''; and

(C) in paragraph (3), by striking ''camp superintendent'' and inserting ''campus director''.

SEC. 1506. TRAINING.

Section 156 (42 U.S.C. 12616) is amended—

(1) in subsection (a)—

(A) by inserting ''National'' before ''Civilian Community Corps''; and

(B) by adding at the end the following: ''The Director shall ensure that to the extent practicable, each member of the Corps is trained in CPR, first aid, and other skills related to disaster preparedness and response.'';

(2) in subsection (b)(1), by inserting before the period at the end the following: '', including a focus on energy conservation, environmental stewardship or conservation, infrastructure improvement, urban and rural development, or disaster preparedness needs''; and

(3) by amending subsection (c)(2) to read as follows:

''(2) COORDINATION WITH OTHER ENTITIES.—Members of the cadre may provide, either directly or through grants, contracts, or cooperative agreements, the advanced service training

referred to in subsection (b)(1) in coordination with vocational or technical schools, other employment and training providers, existing youth service programs, other qualified individuals, or organizations with expertise in training youth, including disadvantaged youth, in the skill areas described in such subsection.''.

SEC. 1507. CONSULTATION WITH STATE COMMISSIONS.

Section 157 (42 U.S.C. 12617) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''National'' before ''Civilian Community Corps'';

(B) in paragraph (1), by inserting before the semicolon the following: ''with specific emphasis on projects in support of infrastructure improvement, disaster relief and recovery, the environment, energy conservation, and urban and rural development''; and

(C) in paragraph (2) by striking ''service learning'' and inserting ''service-learning'';

(2) in subsection (b)—

(A) in paragraph (1)(A), by striking ''and the Secretary of Housing and Urban Development'' and inserting ''the Secretary of Housing and Urban Development, the Administrator of the Environmental Protection Agency, the Administrator of the Federal Emergency Management Agency, the Secretary of Energy, the Secretary of Transportation, and the Chief of the United States Forest Service'';

(B) in paragraph (1)(B)—

(i) by inserting ''community-based organizations and'' before ''representatives of local communities''; and

(ii) by striking ''camp'' both places such term appears and inserting ''campus''; and

(C) in paragraph (2), by inserting ''State Commissions,'' before ''and persons involved in other youth service programs.''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''superintendent'' both places such term appears and inserting ''campus director''; and

(ii) by striking ''camp'' both places such term appears and inserting ''campus''; and

(B) in paragraph (2), by striking ''camp superintendents'' and inserting ''campus directors''.

SEC. 1508. AUTHORIZED BENEFITS FOR CORPS MEMBERS.

Section 158 (42 U.S.C. 12618) is amended—

(1) in subsection (a) by inserting ''National'' before ''Civilian Community Corps''; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting ''National'' before ''Civilian Community Corps''; and

(ii) by inserting before the colon the following: '', as the Director determines appropriate'';

(B) in paragraph (6), by striking ''Clothing'' and inserting ''Uniforms''; and

(C) in paragraph (7), by striking ''Recreational services and supplies'' and inserting ''Supplies''.

SEC. 1509. PERMANENT CADRE.

Section 159 (42 U.S.C. 12619) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) in paragraph (1)—

(i) by inserting ''including those'' before ''recommended''; and

(ii) by inserting ''National'' before ''Civilian Community Corps'';

(2) in subsection (b)(1), by inserting ''National'' before ''Civilian Community Corps'';

(3) in subsection (c)—

(A) in paragraph (1)(B)(i), by inserting ''National'' before ''Civilian Community Corps''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''The Director shall establish a permanent cadre of'' and inserting ''The Chief Executive Officer shall establish a permanent cadre that includes the Director and other appointed''; and

(II) by inserting ''National'' before ''Civilian Community Corps'';

(ii) in subparagraph (B), by striking ''The Director shall appoint the members'' and inserting ''The Chief Executive Officer shall consider the recommendations of the Director in appointing the other members'';

(iii) in subparagraph (C)—

(I) in the matter preceding clause (i), by striking ''the Director'' and inserting ''the Chief Executive Officer'';

(II) in clause (iii) by striking ''and'' at the end;

(III) by redesignating clause (iv) as (v); and

(IV) by inserting after clause (iii) the following:

''(iv) give consideration to retired and other former law enforcement, fire, rescue, and emergency personnel, and other individuals with backgrounds in disaster preparedness, relief, and recovery; and''; and

(iv) in subparagraph (E)—

(I) by inserting after ''techniques'' the following: '', including techniques for working with and enhancing the development of disadvantaged youth,''; and

(II) by striking ''service learning'' and inserting ''service-learning''; and

(C) in the first sentence of paragraph (3), by striking ''the members'' and inserting ''other members''.

SEC. 1510. CONTRACT AND GRANT AUTHORITY.

Section 161 (42 U.S.C. 12621) is amended—

(1) in subsection (a), by striking ''perform any program function under this subtitle'' and inserting ''carry out the National Civilian Community Corps program''; and

(2) in subsection (b)(2), by inserting ''National'' before ''Civilian Community Corps''.

SEC. 1511. OTHER DEPARTMENTS.

Section 162 (42 U.S.C. 12622) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''National'' before ''Civilian Community Corps''; and

(ii) in subparagraph (B)(i), by striking ''the registry established by'' and all that follows through the semicolon and inserting ''the registry established by section 1143a of title 10, United States Code;'';

(B) in paragraph (2)(A), by striking ''to be recommended for appointment'' and inserting ''from which individuals may be selected for appointment by the Director''; and

(C) in paragraph (3), by inserting ''National'' before ''Civilian Community Corps''; and

(2) by striking subsection (b).

SEC. 1512. ADVISORY BOARD.

Section 163 (42 U.S.C. 12623) is amended—

(1) in subsection (a)—

(A) by striking ''Upon the establishment of the Program, there shall also be'' and inserting ''There shall be'';

(B) by inserting ''National'' before ''Civilian Community Corps Advisory Board''; and

(C) by striking ''to assist'' and all that follows through the period at the end and inserting ''to assist the Corps in responding rapidly and efficiently in times of natural and other disasters. Consistent with the needs outlined in section 151, the Advisory Board members shall help coordinate activities with the Corps as appropriate, including the mobilization of volunteers and coordination of volunteer centers to help local communities recover from the effects of natural and other disasters.'';

(2) in subsection (b)—

(A) by redesignating paragraphs (8) and (9) as paragraphs (13) and (14), respectively;

(B) by inserting after paragraph (7) the following:

''(8) The Administrator of the Federal Emergency Management Agency.

''(9) The Secretary of Transportation.

''(10) The Chief of the United States Forest Service.

''(11) The Administrator of the Environmental Protection Agency.

''(12) The Secretary of Energy.''; and

(C) in paragraph (13), as so redesignated, by striking ''industry,'' and inserting ''public and private organizations,''.

SEC. 1513. EVALUATION.

Section 164 (42 U.S.C. 12624) is amended—

(1) in the section heading, by striking ''annual'';

(2) by striking ''annual evaluation'' and inserting ''evaluation before September 30, 2014'';

(3) by inserting ''National'' before ''Civilian Community Corps''; and

(4) by adding at the end the following: ''Upon completing each such evaluation, the Corporation shall transmit to the appropriate committees of Congress a report on the evaluation.''.

SEC. 1514. REPEAL OF FUNDING LIMITATION.

Section 165 (42 U.S.C. 12625) is repealed.

SEC. 1515. DEFINITIONS.

Section 166 (42 U.S.C. 12626) is amended—

(1) by striking paragraphs (2), (3), and (9);

(2) by redesignating paragraphs (4) through (8) as paragraphs (5) through (9), respectively;

(3) by inserting after paragraph (1) the following:

''(2) CAMPUS DIRECTOR.—The term 'campus director', with respect to a Corps campus, means the head of the campus under section 155(d).

''(3) CORPS.—The term 'Corps' means the National Civilian Community Corps required under section 155 as part of the Civilian Community Corps Program.

''(4) CORPS CAMPUS.—The term 'Corps campus' means the facility or central location established as the operational headquarters and boarding place for particular Corps units.'';

(4) in paragraph (5) (as so redesignated), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program'';

(5) in paragraph (6) (as so redesignated), by inserting ''National'' before ''Civilian Community Corps'';

(6) in paragraph (8) (as so redesignated), by striking ''The terms'' and all that follows through ''Demonstration Program'' the first place such term appears and inserting ''The term 'Program' means the National Civilian Community Corps Program''; and

(7) in paragraph (9) (as so redesignated)—

(A) in the heading by striking ''SERVICE LEARNING'' and inserting ''SERVICE-LEARNING''; and

(B) in the matter preceding subparagraph (A) by striking ''service learning'' and inserting ''service-learning''.

SEC. 1516. TERMINOLOGY.

Subtitle E of title I (42 U.S.C. 12611 et seq.) is amended—

(1) by striking the subtitle heading and inserting the following:

''Subtitle E—National Civilian Community Corps'';

and

(2) in section 160(a) (42 U.S.C. 12620(a)) by inserting ''National'' before ''Civilian Community Corps''.

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

SEC. 1601. FAMILY AND MEDICAL LEAVE.

Section 171(a)(1) (42 U.S.C. 12631(a)(1)) is amended by striking ''with respect to a project'' and inserting ''with respect to a project authorized under the national service laws''.

SEC. 1602. ADDITIONAL PROHIBITIONS ON USE OF FUNDS.

Section 174 (42 U.S.C. 12634) is amended by adding at the end the following:

''(d) REFERRALS FOR FEDERAL ASSISTANCE.—A program may not receive assistance under the national service laws for the sole purpose of referring individuals to Federal assistance programs or State assistance programs funded in part by the Federal Government.''.

SEC. 1603. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

Section 176 (42 U.S.C. 12636) is amended—

(1) in subsection (a)(2)(A), by striking ''30 days'' and inserting ''1 or more periods of 30 days not to exceed 90 days in total''; and

(2) in subsection (f)—

(A) in paragraph (1), by striking ''A State or local applicant'' and inserting ''An entity''; and

(B) in paragraph (6)—

(i) in subparagraph (C), by striking ''and'';

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

''(D) in a grievance filed by an individual applicant or participant—

''(i) the applicant's selection or the participant's reinstatement, as the case may be; and

''(ii) other changes in the terms and conditions of service; and''.

SEC. 1604. RESOLUTION OF DISPLACEMENT COMPLAINTS.

Section 177 (42 U.S.C. 12637) is amended—

(1) in subsections (a) and (b), by striking ''under this title'' each place it appears and inserting ''under the national service laws'';

(2) in subsection (b)(1), by striking ''employee or position'' and inserting ''employee, position, or volunteer (other than a participant under the national service laws)''; and

(3) by adding at the end the following:

''(f) PARENTAL INVOLVEMENT.—

''(1) IN GENERAL.—Programs that receive assistance under the national service laws shall consult with the parents or legal guardians of children in developing and operating programs that include and serve children.

''(2) PARENTAL PERMISSION.—Programs that receive assistance under the national service laws shall, consistent with State law, before transporting minor children, provide the reason for and obtain written permission of the children's parents.''.

SEC. 1605. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

Section 178 (42 U.S.C. 12638) is amended—

(1) in subsection (c)(1), by adding at the end the following:

''(J) A representative of the volunteer sector.'';

(2) in subsection (c)(3), by striking '', unless the State permits the representative to serve as a voting member of the State Commission or alternative administrative entity'';

(3) by striking subsection (e)(1) and inserting the following:

''(1) Preparation of a national service plan for the State that—

''(A) is developed through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from companies, organizations, and public agencies using service and volunteerism as a strategy to meet critical community needs, including programs funded under the national service laws;

''(B) covers a 3-year period, the beginning of which may be set by the State;

''(C) is subject to approval by the chief executive officer of the State;

''(D) includes measurable goals and outcomes for the State consistent with those for national service programs as described in section 179(a)(1)(A);

''(E) ensures outreach to diverse community-based agencies that serve under-represented populations, by using established networks and registries at the State level, or establishing such networks and registries;

''(F) provides for effective coordination of funding applications submitted by the State and others within the State under the national service laws;

''(G) is updated annually, reflecting changes in practices and policies that will improve the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State; and

''(H) contains such information as the State Commission considers to be appropriate or as the Corporation may require.'';

(4) by redesignating subsections (f) through (j) as subsections (h) through (l), respectively;

(5) by inserting after subsection (e) the following:

''(f) RELIEF FROM ADMINISTRATIVE REQUIREMENTS.—Upon approval of a State plan submitted under subsection (e)(1), the Chief Executive Officer may waive, or specify alternatives to, administrative requirements (other than statutory provisions) otherwise applicable to grants made to States under the national service laws, including those requirements identified by a State as impeding the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within a State.

''(g) STATE PLAN FOR BABY BOOMER AND OLDER ADULT VOLUNTEER AND PAID SERVICE.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State must work with appropriate State agencies and private entities to develop a comprehensive State plan for volunteer and paid service by members of the Baby Boom generation and older adults.

''(2) MATTERS INCLUDED.—The State plan shall include—

''(A) recommendations for public policy initiatives, including how to best tap the population of members of the Baby Boom generation and older adults as sources of social capital and as ways to address community needs;

''(B) recommendations to the State unit on aging on—

''(i) a marketing outreach plan to businesses;

''(ii) outreach to—

''(I) non-profit organizations;

''(II) the State's Department of Education;

''(III) institutions of higher education; and

''(IV) other State agencies; and

''(C) recommendations for civic engagement and multigenerational activities, such as—

''(i) early childhood education, family literacy, and after school programs;

''(ii) respite services for older adults and caregivers; and

''(iii) transitions for members of the Baby Boom generation and older adults to purposeful work in their post career lives.

''(3) KNOWLEDGE INCORPORATED.—The State plan shall incorporate the current knowledge base regarding—

''(A) the economic impact of older workers' roles in the economy;

''(B) the social impact of older workers' roles in the community; and

''(C) the health and social benefits of active engagement for members of the Baby Boom generation and older adults.

''(4) PUBLICATION.—The State plan must be made public and be transmitted to the Chief Executive Officer.''; and

(6) in subsection (k)(1) (as redesignated by this section), by striking the period at the end and inserting '', consistent with section 174(d).''.

SEC. 1606. EVALUATION AND ACCOUNTABILITY.

Section 179 (42 U.S.C. 12639) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Corporation shall provide, directly or through grants or contracts, for the continuing evaluation of programs that receive assistance under the national service laws, including evaluations that measure the impact of such programs, to determine—

''(1) the effectiveness of programs receiving assistance under the national service laws in achieving stated goals and the costs associated with such, including—

''(A) an evaluation of performance measures, as established by the Corporation in consultation with each grantee receiving assistance under the national service laws, which may include—

''(i) number of participants enrolled and completing terms of service compared to the stated goals of the program;

''(ii) number of volunteers recruited from the community in which the program was implemented;

''(iii) if applicable based on the program design, the number of individuals receiving or benefitting from the service conducted;

''(iv) number of disadvantaged and under-represented youth participants;

''(v) sustainability of project or program, including measures to ascertain the level of community support for the project or program;

''(vi) measures to ascertain the change in attitude toward civic engagement among the participants and the beneficiaries of the service; and

''(vii) other quantitative and qualitative measures as determined to be appropriate by the recipient of assistance; and

''(B) review of the implementation plan for reaching such measures described in subparagraph (A); and

''(2) the effectiveness of the structure and mechanisms for delivery of services, such as the effective utilization of the participants' time, the management of the participants, and the ease with which recipients were able to receive services, to maximize the cost-effectiveness and the impact of such programs.'';

(2) in subsection (g)—

(A) in paragraph (3), by striking ''National Senior Volunteer Corps'' and inserting ''National Senior Service Corps''; and

(B) in paragraph (9), by striking ''to public service'' and all that follows through the period at the end and inserting ''to engage in service that benefits the community.''; and

(3) by adding at the end the following:

''(j) RESERVED PROGRAM FUNDS FOR ACCOUNTABILITY.—In addition to amounts appropriated to carry out this section, the Corporation may reserve up to 1 percent of total program funds appropriated for a fiscal year under the national service laws to support program accountability activities under this section.

''(k) CORRECTIVE PLANS.—

''(1) IN GENERAL.—A grantee that fails to reach the performance measures in subsection (a)(1)(A) as determined by the Corporation, shall reach an agreement with the Corporation on a corrective action plan to achieve the agreed upon performance measures.

''(2) ASSISTANCE.—

''(A) NEW PROGRAM.—For a program that has received assistance for less than 3 years and is failing to achieve the performance measures agreed upon under subsection (a)(1)(A), the Corporation shall—

''(i) provide technical assistance to the grantee to address targeted performance problems relating to the performance measures in subsection (a)(1)(A); and

''(ii) require quarterly reports from the grantee on the program's progress toward achieving the performance measures in subsection (a)(1)(A) to the appropriate State, Territory, or Indian tribe and the Corporation.

''(B) ESTABLISHED PROGRAMS.—For a program that has received assistance for 3 years or more and is failing to achieve the performance measures agreed upon under subsection (a)(1)(A), the Corporation shall require quarterly reports from the grantee on the program's progress towards achieving performance measures in subsection (a)(1)(A) to the appropriate State, Territory, or Indian tribe and the Corporation.

''(l) FAILURE TO MEET PERFORMANCE LEVELS.—If, after a period for correction as approved by the Corporation, a grantee or subgrantee fails to achieve the established levels of performance, the Corporation shall—

''(1) reduce the annual amount of the grant award attributable to the underperforming grantee or subgrantee by at least 25 percent; or

''(2) terminate assistance to the underperforming grantee or subgrantee, consistent with section 176(a).

''(m) REPORTS.—The Corporation shall submit to the appropriate committees of Congress not later than two years after the date of the enactment of this subsection, and annually thereafter, a report containing information on the number of—

''(1) grantees implementing corrective action plans;

''(2) grantees for which the Corporation offers technical assistance under subsection (k);

''(3) grantees for which the Corporation terminates assistance for a program under subsection (l);

''(4) entities that expressed interest in applying for assistance under a national service law but did not apply;

''(5) entities whose application was rejected; and

''(6) grantees meeting or exceeding their performance measures in subsection (a).''.

SEC. 1607. TECHNICAL AMENDMENT.

Section 181 (42 U.S.C. 12641) is amended by striking ''Section 414'' and inserting ''Section 422''.

SEC. 1608. PARTNERSHIPS WITH SCHOOLS.

Section 182(b) (42 U.S.C. 12642(b)) is amended to read as follows:

''(b) REPORT.—

''(1) FEDERAL AGENCY SUBMISSION.—The head of each Federal agency shall prepare and submit to Corporation for Community and National Service a report concerning the implementation of this section, including an evaluation of the performance goals and benchmarks of the partnership programs.

''(2) REPORT TO CONGRESS.—The Corporation for National and Community Service shall prepare and submit to the appropriate committees of Congress a compilation of the information received under paragraph (1).''.

SEC. 1609. RIGHTS OF ACCESS, EXAMINATION, AND COPYING.

Section 183 (42 U.S.C. 12643) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''The'' and inserting ''Consistent with otherwise applicable law, the''; and

(B) in paragraph (1), by inserting after ''local government,'' the following: ''Territory,'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''The'' and inserting ''Consistent with otherwise applicable law, the''; and

(B) in paragraph (1), by inserting after ''local government,'' the following: ''Territory,''; and

(3) by adding at the end the following:

''(c) INSPECTOR GENERAL.—Consistent with otherwise applicable law, the Inspector General of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

''(1) within the possession or control of the Corporation or any State or local government, Territory, Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under this Act that relates to the assistance received, directly or indirectly, under this Act; and

''(2) that relates to the duties of the Inspector General under the Inspector General Act of 1978.''.

SEC. 1610. ADDITIONAL ADMINISTRATIVE PROVISIONS.

Subtitle F of title I (42 U.S.C. 12631 et seq.) is amended by adding at the end the following:

''SEC. 185. SUSTAINABILITY.

''(a) GOALS.—To ensure that recipients of assistance under the national service laws are carrying out sustainable projects or programs, the Corporation, after collaboration with State Commissions and consultation with recipients of assistance under the national service laws, may set sustainability goals supported by policies and procedures to—

''(1) build the capacity of the projects that receive assistance under the national service laws to meet community needs and lessen the dependence on Federal dollars to do so, taking into consideration challenges that programs in underserved rural or urban areas may face;

''(2) provide technical assistance to aid the recipients of assistance under the national service laws in acquiring and leveraging non-Federal funds for the projects; and

''(3) implement measures to ascertain whether the projects are generating sufficient community support.

''(b) ENFORCEMENT.—If a recipient does not meet the sustainability goals in subsection (a) for a project, the Corporation may take action as described in sections 176 and 179.

''SEC. 186. GRANT PERIODS.

''Unless otherwise specifically provided, the Corporation has authority to make a grant under the national service laws for a period of 3 years.

''SEC. 187. GENERATION OF VOLUNTEERS.

''In making decisions on applications for assistance or approved national service positions under the national service laws, the Corporation shall take into consideration the extent to which the applicant's proposal will increase the involvement of volunteers in meeting community needs. In reviewing the application for this purpose, the Corporation may take into account the mission of the applicant.

''SEC. 188. LIMITATION ON PROGRAM GRANT COSTS.

''(a) LIMITATION ON GRANT AMOUNTS.—Except as otherwise provided by this section, the amount of funds approved by the Corporation in a grant to operate a program authorized under the national service laws supporting individuals serving in approved national service positions may not exceed $17,000 per full-time equivalent position.

''(b) COSTS SUBJECT TO LIMITATION.—The limitation in subsection (a) applies to the Corporation's share of member support costs, staff costs, and other costs borne by the grantee or subgrantee to operate a program.

''(c) COSTS NOT SUBJECT TO LIMITATION.—The limitation in subsection (a) and (e)(1) shall not apply to expenses that are not included in the program operating grant award.

''(d) ADJUSTMENTS FOR INFLATION.—The amount specified in subsections (a) and (e)(1) shall be adjusted each year after 2008 for inflation as measured by the Consumer Price Index for All Urban Consumers published by the Secretary of Labor.

''(e) WAIVER AUTHORITY AND REPORTING REQUIREMENT.—

''(1) WAIVER.—The Chief Executive Officer may waive the requirements of this section, up to a maximum of $19,500, if necessary to meet the compelling needs of a particular program, such as exceptional training needs for a program serving disadvantaged youth, increased costs relating to the participation of individuals with disabilities, tribal programs or programs located in the Territories and start-up costs associated with a first-time grantee, and up to a maximum of $22,000 for Tribal residential programs.

''(2) REPORTS.—The Chief Executive Officer shall report to the appropriate committees of Congress annually on all waivers granted under this section, with an explanation of the compelling needs justifying such waivers.

''SEC. 189. AUDITS AND REPORTS.

''The Corporation shall comply with applicable audit and reporting requirements as provided in the Chief Financial Officers Act of 1990 (31 U.S.C. 501 et seq.) and the Government Corporation Control Act of 1945 (31 U.S.C. 9101 et seq.). The Corporation shall report to the appropriate committees of Congress any failure to comply with the requirements of such audits.

''SEC. 190. CRIMINAL HISTORY CHECKS.

''(a) IN GENERAL.—Entities selecting individuals to serve in a position in which the individual receives a Corporation grant-funded living allowance, stipend, education award, salary, or other remuneration in a program receiving assistance under the national service laws, shall, subject to regulations and requirements established by the Corporation, conduct criminal history checks for such individuals.

''(b) REQUIREMENTS.—A criminal history check shall, except in cases approved for good cause by the Corporation, include a name-based search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.) and—

''(1) a search of the State criminal registry or repository in the State in which the program is operating and the State in which the individual resides at the time of application; or

''(2) a Federal Bureau of Investigation fingerprint check.

''(c) ELIGIBILITY PROHIBITION.—An individual shall be ineligible to serve in a position described under subsection (a) if such individual—

''(1) refuses to consent to the criminal history check described in subsection (b);

''(2) makes a false statement in connection with such criminal history check;

''(3) is registered, or is required to be registered, on a State sex offender registry or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

''(4) has been convicted of murder, as described in section 1111 of title 18, United States Code.

''SEC. 190A. REPORT ON PARTICIPANT INFORMATION.

''(a) IN GENERAL.—The Corporation shall annually collect and report to the appropriate committees of Congress any demographic and socioeconomic information on the participants of all programs or projects receiving assistance under the national service laws.

''(b) INFORMATION COLLECTED AND REPORTED.—

''(1) PARTICIPANTS AGES 18 AND OLDER.—The information collected and reported under this section for participants ages 18 and older shall include age, gender, race, ethnicity, annual income, employment status, disability status, veteran status, marital status, educational attainment, and household size, type, and income.

''(2) PARTICIPANTS UNDER AGE 18.—The information collected and reported under this section for participants under age 18 shall only include age, gender, race, ethnicity, and eligibility for free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

''(c) PUBLIC AVAILABILITY.—The information collected and reported under this section shall be available to the public.

''(d) CONFIDENTIALITY.—The information collected and reported under this section shall not contain any personally identifiable information of any participant.''.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

SEC. 1701. TERMS OF OFFICE.

Section 192 (42 U.S.C. 12651a) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) TERMS.—Subject to subsection (e), each appointed member shall serve for a term of 5 years.'';

(2) by adding at the end the following:

''(e) SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—A voting member of the Board whose term has expired may continue to serve for one year beyond expiration of the term if no successor is appointed or until the date on which a successor has taken office.''.

SEC. 1702. BOARD OF DIRECTORS AUTHORITIES AND DUTIES.

Section 192A(g) (42 U.S.C. 12651b(g)) is amended—

(1) in the matter preceding paragraph (1) by striking ''shall—'' and inserting ''shall have responsibility for setting overall policy for the Corporation and shall—'';

(2) in paragraph (1), by inserting before the semicolon at the end the following: '', and review the budget proposal in advance of submission to the Office of Management and Budget and to Congress'';

(3) in paragraph (5)—

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

(B) in subparagraph (B) by inserting ''and'' at the end; and

(C) by adding at the end the following:

''(C) review the performance of the Chief Executive Officer annually and forward a report on that review to the President;'';

(4) by amending paragraph (10) to read as follows:

''(10) notwithstanding any other provision of law—

''(A) make grants to or contracts with Federal and other public departments or agencies, and private nonprofit organizations for the assignment or referral of volunteers under the provisions of Title I of the Domestic Volunteer Service Act of 1973 (except as provided in section 108 of the Domestic Volunteer Service Act of 1973) which may provide that the agency or organization shall pay all or a part of the costs of the program; and

''(B) enter into agreements with other Federal agencies for the support of programs under the national service laws which—

''(i) may provide that the agency or organization shall pay all or a part of the costs of the program; and

''(ii) shall provide that the program (including any program operated by another Federal agency) will comply with all requirements related to evaluation, performance, and other goals applicable to similar programs under the national service laws, as determined by the Corporation; and'';

(5) in paragraph (11), by striking ''September 30, 1995'' and inserting ''January 1, 2012''.

SEC. 1703. CHIEF EXECUTIVE OFFICER COMPENSATION.

Section 193(b) (42 U.S.C. 12651c(b)) is amended by striking the period and inserting '', plus 3 percent.''.

SEC. 1704. AUTHORITIES AND DUTIES OF THE CHIEF EXECUTIVE OFFICER.

Section 193A (42 U.S.C. 12651d) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''shall—'' and inserting '', in collaboration with State Commissions, shall—'';

(B) in paragraph (1), by inserting after ''a strategic plan'' the following: '', including a plan for achieving 50 percent full-time approved national service positions by 2012,'';

(C) in paragraph (10)—

(i) in the matter preceding subparagraph (A), by striking ''June 30, 1995,'' and inserting ''June 30 of each even-numbered year,''; and

(ii) in subparagraph (A)(i), by striking ''section 122(c)(1)'' and inserting ''section 122(c)''; and

(D) by adding at the end the following:

''(12) bolster the public awareness of and recruitment efforts for the wide range of service opportunities for citizens of all ages, regardless of socioeconomic status or geographic location, through a variety of methods, including—

''(A) print media;

''(B) the Internet and related emerging technologies;

''(C) television;

''(D) radio;

''(E) presentations at public or private forums;

''(F) other innovative methods of communication; and

''(G) outreach to offices of economic development, State employment security agencies, labor unions and trade associations, local education agencies, institutions of higher education, agencies and organizations serving veterans and people with disabilities, and other institutions or organizations from which participants for programs receiving assistance from the national service laws can be recruited;

''(13) identify and implement methods of recruitment to—

''(A) increase the diversity of participants in the programs receiving assistance under the national service laws; and

''(B) increase the diversity of service sponsors of programs desiring to receive assistance under the national service laws;

''(14) coordinate with organizations of former participants of national service programs for service opportunities that may include capacity building, outreach, and recruitment for programs receiving assistance under the national service laws;

''(15) collaborate with organizations with demonstrated expertise in supporting and accommodating individuals with disabilities, including institutions of higher education, to identify and implement methods of recruitment to increase the number of participants with disabilities in the programs receiving assistance under the national service laws;

''(16) identify and implement recruitment strategies and training programs for bilingual volunteers in the National Senior Service Corps under title II of the Domestic Volunteer Service Act of 1973;

''(17) collaborate with organizations which have established volunteer recruitment programs, including those on the Internet, to increase the recruitment capacity of the Corporation;

''(18) where practicable, provide application materials in languages other than English for those with limited English proficiency who wish to participate in a national service program;

''(19) collaborate with the training and technical assistance programs described in subtitle J and in appropriate paragraphs of section 199N(b);

''(20) coordinate the clearinghouses described in section 198F;

''(21) coordinate with entities receiving funds under Subtitle Establishing the Reserve Corps for alumni of the national service programs to serve in emergencies, disasters, and other times of national need;

''(22) identify and implement strategies to increase awareness among Indian tribes of the types and availability of assistance under the national service laws, increase Native American participation in national service, and collect information on challenges facing Native American communities;

''(23) conduct outreach to ensure the inclusion of low-income persons in national service programs and activities authorized under the National Senior Service Corps; and

''(24) ensure that outreach, awareness, and recruitment efforts are consistent with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).'';

(2) in subsection (c)—

(A) in paragraph (9), by striking ''and'' at the end;

(B) by redesignating paragraph (10) as paragraph (11); and

(C) by inserting after paragraph (9) the following:

''(10) obtain the opinions of peer reviewers in evaluating applications to the Corporation for assistance under this title; and''; and

(3) in subsection (f)—

(A) by inserting ''AND STUDIES'' after ''EVALUATIONS'' in the subsection heading; and

(B) by adding at the end the following new paragraphs:

''(3) EVALUATION ON REACHING 50 PERCENT GOAL.—The Corporation shall submit a report to the appropriate committees of Congress, not later than 18 months after the enactment of this section on actions taken to achieve the goal of 50 percent full-time approved national service positions as described in 193A(b)(1), including an assessment of the progress made toward achieving that goal and the actions to be taken in the coming year toward achieving that goal.

''(4) EVALUATION ON APPLICATIONS.—The Corporation shall submit a report to the appropriate committees of Congress, not later than 18 months after the enactment of this section a report on the actions taken to modify the application procedures and reporting requirements for programs and activities funded under then national service laws, including a description of the consultation procedures with grantees.

''(5) STUDY OF INVOLVEMENT OF VETERANS.—The Corporation shall submit to the appropriate committees of Congress, not later than 3 years after the enactment of this section, on—

''(A) the number of veterans serving in national service programs historically by year;

''(B) strategies being undertaken to identify the specific areas of need of veterans, including any goals set by the Corporation for veterans participating in the service programs;

''(C) the impact of the strategies described in paragraph (2) and the Veterans Corps on enabling greater participation by veterans in the national service programs carried out under the national service laws;

''(D) how existing programs and activities carried out under the national service laws could be improved to serve veterans, veterans service organizations, families of active-duty military, including gaps in services to veterans;

''(E) the extent to which existing programs and activities carried out under the national service laws are coordinated and recommendations to improve such coordination including the methods for ensuring the efficient financial organization of services directed towards veterans; and

''(F) how to improve utilization of veterans as resources and volunteers.

''(6) CONSULTATION.—In conducting the studies and preparing the reports required under this subsection, the Corporation shall consult with veterans' service organizations, the Department of Veterans Affairs, State veterans agencies, the Department of Defense, as appropriate, and other individuals and entities the Corporation considers appropriate.'';

(4) by adding at the end the following:

''(h) AUTHORITY TO CONTRACT WITH A BUSINESS.—The Chief Executive Officer may, through contracts or cooperative agreements, carry out the marketing duties described in subsection (b)(13), with priority given to those entities who have established expertise in the recruitment of disadvantaged youth, members of Indian tribes, and members of the Baby Boom generation.

''(i) CAMPAIGN TO SOLICIT FUNDS.—The Chief Executive Officer may conduct a campaign to solicit non-Federal funds to support outreach and recruitment of a diverse population of service sponsors of and participants in programs and projects receiving assistance under the national service laws.''.

SEC. 1705. DELEGATION TO STATES.

Consistent with section 193A(c)(1) (42 U.S.C. 12651d(c)(1)), the Chief Executive Officer may delegate to States specific programmatic authority upon a determination that such a delegation will increase efficiency in the operation or oversight of a program under the national service laws.

SEC. 1706. CHIEF FINANCIAL OFFICER .

Section 194(c) (42 U.S.C. 12651e(c)) is amended—

(1) by striking paragraphs (1) and (2) and inserting:

''(1) IN GENERAL.—The Corporation shall have a chief financial officer appointed subject to the provisions of title 5, United States Code, governing appointment in the competitive service and paid in accordance with the provisions of

chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.''; and

(2) by redesignating paragraph (3) as paragraph (2).

SEC. 1707. NONVOTING MEMBERS; PERSONAL SERVICES CONTRACTS.

Section 195 (42 U.S.C. 12651f) is amended—

(1) in subsection (c)—

(A) in paragraph (2)(B), by inserting after ''subdivision of a State,'' the following: ''Territory,''; and

(B) in paragraph (3)—

(i) in the heading, by striking ''MEMBER'' and inserting ''NON-VOTING MEMBER''; and

(ii) by inserting ''non-voting'' before ''member''; and

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

''(g) PERSONAL SERVICES CONTRACTS.—The Corporation may enter into personal services contracts to carry out research, evaluation, and public awareness related to the national service laws.''.

SEC. 1708. DONATED SERVICES.

Section 196(a) (42 U.S.C. 12651g(a)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

''(A) ORGANIZATIONS AND INDIVIDUALS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the services of organizations and individuals (other than participants) to assist the Corporation in carrying out the duties of the Corporation under the national service laws, and may provide to such individuals the travel expenses described in section 192A(d).'';

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking ''Such a volunteer'' and inserting ''A person who is a member of an organization or is an individual covered by subparagraph (A)'';

(ii) in clause (i), by striking ''a volunteer'' and inserting ''such a person'';

(iii) in clause (ii), by striking ''volunteers'' and inserting ''such a person''; and

(iv) in clause (iii), by striking ''such a volunteer'' and inserting ''such a person''; and

(C) in subparagraph (C)(i), by striking ''Such a volunteer'' and inserting ''Such a person''; and

(2) by striking paragraph (3).

SEC. 1709. STUDY TO EXAMINE AND INCREASE SERVICE PROGRAMS FOR DISPLACED WORKERS.

(a) PLANNING STUDY.—The Corporation for National and Community Service shall conduct a study to identify—

(1) specific areas of need for displaced workers;

(2) how existing programs and activities carried out under the national service laws could better serve displaced workers and communities that have been adversely affected by plant closings and job losses;

(3) prospects for better utilization of skilled workers as resources and volunteers; and

(4) methods for ensuring the efficient financial organization of services directed towards displaced workers.

(b) CONSULTATION.—The study shall be carried out in consultation with the Department of Labor, State labor agencies, and other individuals and entities the Corporation considers appropriate.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Corporation shall submit to the appropriate committees of Congress a report on the results of the planning study required by subsection (a), together with a plan for implementation of a pilot program using promising strategies and approaches for better targeting and serving displaced workers.

(d) PILOT PROGRAM.—From amounts made available to carry out this section, the Corporation shall develop and carry out a pilot program based on the findings in the report submitted under subsection (c).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2010 through 2014.

SEC. 1710. STUDY TO EVALUATE THE EFFECTIVENESS OF A CENTRALIZED ELECTRONIC CITIZENSHIP VERIFICATION SYSTEM.

(a) STUDY.—The Corporation for National and Community Service shall conduct a study to determine the effectiveness of a centralized electronic citizenship verification system which would allow the Corporation to share employment eligibility information with the Department of Education in order to reduce administrative burden and lower costs for member programs. This study shall identify—

(1) the costs associated with establishing this program both for the Corporation and for the Department of Education;

(2) the benefits or detriments of such a system both for the Corporation and for the Department of Education;

(3) strategies for ensuring the privacy and security of member information that is shared between agencies and member organizations;

(4) the information that needs to be shared in order to fulfill employment eligibility requirements; and

(5) recommendations for implementation of such a program.

(b) CONSULTATION.—The study shall be carried out in consultation with the Department of Education and other individuals and entities the Corporation considers appropriate.

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Corporation shall submit to the appropriate committees of Congress a report on the results of the study required by subsection (a), together with a plan for implementation of a pilot program using promising strategies and approaches identified in such study, if the Corporation determines such program to be feasible.

(d) PILOT PROGRAM.—From amounts made available to carry out this section, the Corporation may develop and carry out a pilot program based on the findings in the report submitted under subsection (c).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2010 through 2014.

Subtitle H—Amendments to Subtitle H

SEC. 1801. TECHNICAL AMENDMENTS TO SUBTITLE H.

(a) ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE.—Subtitle H is amended by inserting after the subtitle heading and before section 198 the following:

"PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE".

(b) TECHNICAL AMENDMENTS.—Section 198 (42 U.S.C. 12653) is amended—

(1) in subsection (a), by striking ''subsection (r)'' and inserting ''subsection (g)'';

(2) in subsection (b), by striking ''to improve the quality'' and all that follows through ''including'' the first place such term appears and inserting ''to address emergent needs through summer programs and other activities, and to support service-learning programs and national service programs, including''; and

(3) by striking subsections (c), (d), (e), (f), (h), (i), (j), (l), (m), and (p) and redesignating subsections (g), (k), (n), (o), (q), (r), and (s) as subsections (c), (d), (e), (f), (g), (h), and (i), respectively.

(c) CALL TO SERVICE CAMPAIGN AND SEPTEMBER 11TH DAY OF SERVICE.—Section 198 (as amended by subsection (b) (42 U.S.C. 12653) is further amended by adding at the end the following:

''(j) CALL TO SERVICE CAMPAIGN.—Not less than 180 days after enactment of this Act, the Corporation shall conduct a nationwide 'Call To Service' campaign, to encourage all people of the United States, regardless of age, race, ethnicity, religion, or economic status, to engage in full- or part-time national service, long- or short-term public service in the nonprofit sector or government, or volunteering. In conducting the campaign, the Corporation may collaborate with other Federal agencies and entities, State Commissions, Governors, nonprofit and faith-based organizations, businesses, institutions of higher education, elementary schools, and secondary schools.

''(k) SEPTEMBER 11TH DAY OF SERVICE.—

''(1) FEDERAL ACTIVITIES.—The Corporation may organize and carry out appropriate ceremonies and activities, which may include activities that are part of the broader Call to Service Campaign, in order to observe September 11th National Day of Service and Remembrance at the Federal level.

''(2) ACTIVITIES.—The Corporation may make grants and provide other support to community-based organizations to assist in planning and carrying out appropriate service, charity, and remembrance opportunities in conjunction with the September 11th National Day of Service and Remembrance.

''(3) CONSULTATION.—The Corporation may consult with and make grants or provide other forms of support to nonprofit organizations with expertise in representing September 11th families and other impacted constituencies, in promoting the establishment of September 11th as an annually recognized National Day of Service and Remembrance.''.

SEC. 1802. REPEALS.

(a) REPEALS.—The following provisions are repealed:

(1) CLEARINGHOUSES.—Section 198A (42 U.S.C. 12653a).

(2) MILITARY INSTALLATION CONVERSION DEMONSTRATION PROGRAMS.—Section 198C (42 U.S.C. 12653c).

(3) SPECIAL DEMONSTRATION PROJECT.—Section 198D (42 U.S.C. 12653d).

(b) REDESIGNATION.—Section 198B is redesignated as section 198A.

SEC. 1803. NEW FELLOWSHIPS.

Subtitle H is further amended by adding at the end the following new sections:

"SEC. 198B. SERVE AMERICA FELLOWSHIPS.

''(a) DEFINITIONS.—In this section:

''(1) AREA OF NATIONAL NEED.—The term 'area of national need' means an area involved in efforts to—

''(A) improve education in schools for economically disadvantaged students;

''(B) expand and improve access to health care;

''(C) improve energy efficiency and conserve natural resources;

''(D) improve economic opportunities for economically disadvantaged individuals; or

''(E) improve disaster preparedness and response.

''(2) ELIGIBLE FELLOWSHIP RECIPIENT.—The term 'eligible fellowship recipient' means an individual who is selected by a State Commission under subsection (c), as a result of such selection, is eligible for a ServeAmerica Fellowship.

''(3) FELLOW.—The term 'fellow' means an eligible fellowship recipient who is awarded a ServeAmerica Fellowship and is designated a fellow under subsection (e).

''(b) GRANTS.—

''(1) IN GENERAL.—From the amounts appropriated under section 501(a)(2) and allotted under paragraph (2)(A), the Corporation shall make grants (including financial assistance and a corresponding allotment of approved national service positions), to the State Commission of each of the several States, the District of Columbia, or the Commonwealth of Puerto Rico with an application approved under this section, to

enable such State Commission to award ServeAmerica Fellowships under subsection (e).

''(2) ALLOTMENT; RULES.—

''(A) ALLOTMENT.—The amount allotted to a State Commission for a fiscal year shall be equal to an amount that bears the same ratio to the amount appropriated under section 501(a)(2), as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(B) RULES.—Of the amount allotted to a State Commission under subparagraph (A)—

''(i) ⅓ of such amount shall be awarded to Fellows serving in organizations that maintain not more than 10 full-time staff and not more than 10 part-time staff; and

''(ii) not more than 1.5 percent of such amount may be used for administrative costs.

''(C) REALLOTMENT.—If a State Commission does not apply for an allotment under this subsection, or if a State Commission's application is not approved, the Corporation shall reallot the amount of the State Commission's allotment to the remaining State Commissions in accordance with subparagraph (A).

''(3) NUMBER OF POSITIONS.—The Corporation shall—

''(A) establish or increase the number of approved national service positions under this subsection during each of fiscal years 2010 through 2014;

''(B) establish the number of approved positions at 500 for fiscal year 2010; and

''(C) increase the number of the approved positions to—

''(i) 750 for fiscal year 2011;

''(ii) 1,000 for fiscal year 2012;

''(iii) 1,250 for fiscal year 2013; and

''(iv) 1,500 for fiscal year 2014.

''(4) USES OF GRANT FUNDS.—

''(A) REQUIRED USES.—A grant awarded under this subsection shall be used to enable fellows to carry out service projects in areas of national need.

''(B) PERMITTED USES.—A grant awarded under this subsection may be used for—

''(i) oversight activities and mechanisms for the service sites as determined by the State Commission or the Corporation, which may include site visits;

''(ii) activities to augment the experience of participants in approved national service positions under this section, including activities to engage such participants in networking opportunities with other national service participants; and

''(iii) recruitment or training activities for participants in approved national service positions under this section.

''(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State Commission shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, including information on the criteria and procedures that the State Commission will use for overseeing ServeAmerica Fellowship placements for service projects, under subsection (e).

''(c) ELIGIBLE FELLOWSHIP RECIPIENTS.—

''(1) APPLICATION.—

''(A) IN GENERAL.—An applicant desiring to become an eligible fellowship recipient shall submit an application to a State Commission, at such time and in such manner as the Commission may require, and containing the information described in subparagraph (B) and such additional information as the Commission may require. An applicant may submit such application to only one State Commission for a fiscal year.

''(B) CONTENTS.—The Corporation shall specify information to be provided in an application submitted under this subsection, which shall include—

''(i) a description of the area of national need that the applicant intends to address in the service project;

''(ii) a description of the skills and experience the applicant has to address the area of national need;

''(iii) a description of the type of service the applicant plans to provide as a fellow; and

''(iv) information identifying the local area in which the applicant plans to serve, for the service project.

''(2) SELECTION.—Each State Commission shall select the applicants received by the State Commission for a fiscal year, the number of eligible fellowship recipients that may be supported for that fiscal year based on the grant received by the State Commission under subsection (b).

''(d) SERVICE SPONSOR ORGANIZATIONS.—

''(1) IN GENERAL.—Each service sponsor organization shall—

''(A) be a nonprofit organization or an institution of higher education that is not a Campus of Service (as described in section 119);

''(B) satisfy qualification criteria established by the Corporation or the State Commission, including standards relating to organizational capacity, financial management, and programmatic oversight;

''(C) not be a recipient of other national service awards; and

''(D) at the time of registration with a State Commission, enter into an agreement providing that the service sponsor organization shall—

''(i) abide by all program requirements;

''(ii) provide an amount described in subsection (e)(3)(b) for each fellow serving with the organization through the ServeAmerica Fellowship;

''(iii) be responsible for certifying whether each fellow serving with the organization successfully completed the ServeAmerica Fellowship, and record and certify in a manner specified by the Corporation the number of hours served by a fellow for purposes of determining the fellow's eligibility for benefits; and

''(iv) provide timely access to records relating to the ServeAmerica Fellowship to the State Commission, the Corporation, and the Corporation's Inspector General.

''(2) REGISTRATION.—

''(A) REQUIREMENT.—No service sponsor organization may receive a fellow under this subsection until the organization registers with the State Commission;

''(B) CLEARINGHOUSE.—The State Commission shall maintain a list of registered service sponsor organizations on a public website;

''(C) REVOCATION.—If a State Commission determines that a service sponsor organization is in violation of any of the applicable provisions of this section—

''(i) the State Commission shall revoke the registration of the organization;

''(ii) the organization shall not be eligible to receive a national service award under this title, for not less than 5 years; and

''(iii) the State Commission shall have the right to remove a fellow from the organization and relocate the fellow to another site.

''(e) FELLOWS.—

''(1) IN GENERAL.—To be eligible to participate in a service project as a fellow and receive a ServeAmerica Fellowship, an eligible fellowship recipient shall—

''(A) within 3 months after being selected as an eligible fellowship recipient, select a registered service sponsor organization described in subsection (d) with which the recipient is interested in serving under this section; and

''(B) enter into an agreement with the organization—

''(i) that specifies the service the recipient will provide if the placement is approved; and

''(ii) in which the recipient agrees to serve for 1 year on a full-time or part-time basis (as determined by the Corporation); and

''(iii) submit such agreement to the State Commission.

''(2) AWARD.—Upon receiving the eligible fellowship recipient's agreement under paragraph (1), the State Commission shall award a ServeAmerica Fellowship to the recipient and designate the recipient as a fellow.

''(3) FELLOWSHIP AMOUNT.—

''(A) IN GENERAL.—From amounts received under subsection (b), each State Commission shall award each of the State's fellows a ServeAmerica Fellowship amount that is equal to 50 percent of the amount of the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

''(B) AMOUNT FROM SERVICE SPONSOR ORGANIZATION.—Except as provided in subsection (C), the service sponsor organization shall award to the fellow serving such organization an amount that will ensure that the total award received by the fellow for service in the service project (consisting of such amount and the ServeAmerica Fellowship amount the fellow receives under subparagraph (A)) is equal to or greater than 70 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

''(C) MAXIMUM LIVING ALLOWANCE.—

''(i) IN GENERAL.—The total amount that may be provided to a fellow under this subparagraph shall not exceed 100 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

''(ii) SMALL ORGANIZATIONS.—A service sponsor organization meeting the requirements of subsection (b)(2)(B)(i) shall award to the fellow serving such organization an amount that will ensure that the total award received by the fellow for service in the service project (consisting of that amount and the ServeAmerica Fellowship amount that fellows receive under clause (i) is equal to or greater than 60 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteers Service Act of 1973.

''(D) PRORATION OF AMOUNT.—In the case of a fellow who is authorized to serve a part-time term of service under the agreement described in subparagraph (1)(B)(ii), the amount provided to a fellow under this subparagraph shall be prorated accordingly.

''(E) WAIVER.—The Corporation may allow a State Commission to waive the amount required under subparagraph (B) from the service sponsor organization for a fellow serving the organization if—

''(i) such requirement is inconsistent with the objectives of the ServeAmerica Fellowship program; and

''(ii) the amount provided to the fellow under subparagraph (A) is sufficient to meet the necessary costs of living (including food, housing, and transportation) in the area in which the ServeAmerica Fellowship program is located.

''(f) COMPLIANCE WITH INELIGIBLE SERVICE CATEGORIES.—Service under a ServeAmerica Fellowship shall comply with section 132(a). For purposes of applying that section to this subsection, a reference to assistance shall be considered to be a reference to assistance provided under this section.

''(g) REPORTS.—Each service sponsor organization that receives a fellow under this subsection shall, on a biweekly basis, report to the State Commission on the number of hours served and the services provided by that fellow. The Corporation shall establish a web portal for the organizations to use in reporting the information.

''(h) EDUCATIONAL AWARDS.—A fellow who serves in a service project under this section shall be considered to have served in an approved national service position and, upon meeting the requirements of section 147 for full-time or part-time national service, shall be eligible for a national service educational award described in such section. The Corporation shall transfer an appropriate amount of funds to the

National Service Trust to provide for the national service educational awards for such fellow.

"SEC. 198C. SILVER SCHOLARSHIPS AND ENCORE FELLOWSHIPS.

''(a) SILVER SCHOLARSHIP.—

''(1) ESTABLISHMENT.—The Corporation may award grants, including fixed-amount grants (in accordance with section 129(l)) to community-based organizations to carry out a Silver Scholarship Grant Program for individuals age 55 and older to complete not less than 500 hours of service in a year carrying out projects of national need and to receive a Silver Scholarship in the form of a $1,000 education award. Under such a program—

''(A) the Corporation shall establish criteria for the types of the service required to be performed to receive such award; and

''(B) the individual receiving the award shall use such award in accordance with sections 146(c), 146(d), and 148(c).

''(2) TERM.—Each program funded under this subsection shall be carried out over a period of 3 years, which may include 1 planning year and 2 additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

''(3) APPLICATIONS.—To be eligible to carry out a program under this subsection, a community-based organization shall submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require. A community-based organization approved by the Corporation shall be a listed organization as described in subsection (b)(2)(D).

''(4) COLLABORATION ENCOURAGED.—A community-based organization awarded a grant under this subsection is encouraged to collaborate with programs funded under title II of the Domestic Volunteer Service Act in carrying out this program.

''(5) ELIGIBILITY FOR SCHOLARSHIP.—An individual is eligible to receive a Silver Scholarship if the community-based organization certifies to the Corporation that the individual has completed not less than 500 hours of service under this section.

''(6) SUPPORT SERVICES.—A community-based organization receiving a grant under this subsection may use a portion of the fixed-amount grant to provide transportation services to an eligible individual to allow such individual to participate in a service project.

''(b) ENCORE FELLOWSHIPS.—

''(1) ESTABLISHMENT.—The Corporation may award 1-year Encore Fellowships to enable individuals age 55 or older to—

''(A) carry out service projects in areas of national need; and

''(B) to receive training and development in order to transition to full- or part-time public service in the nonprofit sector or government.

''(2) PROGRAM.—In carrying out the program, the Corporation shall—

''(A) maintain a list of eligible organizations for which Encore Fellows may be placed to carry out service projects through the program and shall provide the list to all Fellowship recipients; and

''(B) at the request of a Fellowship recipient—

''(i) determine whether the requesting recipient is able to meet the service needs of a listed organization, or another organization that the recipient requests in accordance with subparagraph (E), for a service project; and

''(ii) upon making a favorable determination under clause (i), award the recipient with an Encore Fellowship, and place the recipient with the organization as an Encore Fellow under subparagraph (E).

''(C) ELIGIBLE RECIPIENTS.—

''(i) IN GENERAL.—An individual desiring to be selected as a Fellowship recipient shall—

''(I) be an individual who—

''(aa) is at least 55 years of age as of the time the individual applies for the program; and

''(bb) is not engaged in, but who wishes to engage in, full- or part-time public service in the nonprofit sector or government; and

''(II) submit an application to the Corporation, at such time, in such manner, and containing such information as the Corporation may require, including—

''(aa) a description of the area of national need that the applicant hopes to address through the service project;

''(bb) a description of the skills and experience the applicant has to address an area of national need; and

''(cc) information identifying the region of the United States in which the applicant wishes to serve.

''(ii) SELECTION BASIS.—In determining which individuals to select as Fellowship recipients, the Corporation shall—

''(I) select not more than 10 individuals from each State; and

''(II) give priority to individuals with skills and experience for which there is an ongoing high demand in the nonprofit sector and government.

''(D) LISTED ORGANIZATIONS.—To be listed under subparagraph (A), an organization shall—

''(i) be a nonprofit organization; and

''(ii) submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, including—

''(I) a description of—

''(aa) the services and activities the organization carries out generally;

''(bb) the area of national need that the organization seeks to address through a service project; and

''(cc) the services and activities the organization seeks to carry out through the proposed service project;

''(II) a description of the skills and experience that an eligible Encore Fellowship recipient needs to be placed with the organization as an Encore Fellow for the service project;

''(III) a description of the training and leadership development the organization shall provide an Encore Fellow placed with the organization to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

''(IV) evidence of the organization's financial stability.

''(E) PLACEMENT.—

''(i) REQUEST FOR PLACEMENT WITH LISTED ORGANIZATIONS.—To be placed with a listed organization in accordance with subparagraph (B)(ii) for a service project, an eligible Encore Fellowship recipient shall submit an application for such placement to the Corporation at such time, in such manner, and containing such information as the Corporation may require.

''(ii) REQUEST FOR PLACEMENT WITH OTHER ORGANIZATION.—An eligible Encore Fellowship recipient may apply to the Corporation to serve the recipient's Encore Fellowship year with a nonprofit organization that is not a listed organization. Such application shall be submitted to the Corporation at such time, in such manner, and containing such information as the Corporation shall require, and shall include—

''(I) an identification and description of—

''(aa) the organization;

''(bb) the area of national need the organization seeks to address; and

''(cc) the services or activities the organization carries out to address such area of national need;

''(II) a description of the services the eligible Encore Fellowship recipient shall provide for the organization as an Encore Fellow; and

''(III) a letter of support from the leader of the organization, including—

''(aa) a description of the organization's need for the eligible Encore Fellowship recipient's services;

''(bb) evidence that the organization is financially sound;

''(cc) an assurance that the organization will provide training and leadership development to the eligible Encore Fellowship recipient if placed with the organization as an Encore Fellow, to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

''(dd) a description of the training and leadership development to be provided to the Encore Fellowship recipient if so placed.

''(iii) PLACEMENT AND AWARD OF FELLOWSHIP.—If the Corporation determines that the eligible Encore Fellowship recipient is able to meet the service needs (including skills and experience to address an area of national need) of the organization that the eligible fellowship recipient requests under clause (ii) or (iii), the Corporation shall—

''(I) approve the placement of the eligible Encore Fellowship recipient with the organization;

''(II) award the eligible Encore Fellowship recipient an Encore Fellowship for a period of 1 year and designate the eligible Encore Fellowship recipient as an Encore Fellow; and

''(III) in awarding the Encore Fellowship, make a payment, in the amount of $11,000, to the organization to enable the organization to provide living expenses to the Encore Fellow for the year in which the Encore Fellow agrees to serve.

''(F) MATCHING FUNDS.—An organization that receives an Encore Fellow under this subsection shall agree to provide, for the living expenses of the Encore Fellow during the year of service, non-Federal contributions in an amount equal to not less than $1 for every $1 of Federal funds provided to the organization for the Encore Fellow through the fellowship.

''(G) TRAINING AND ASSISTANCE.—Each organization that receives an Encore Fellow under this subsection shall provide training, leadership development, and assistance to the Encore Fellow, and conduct oversight of the service provided by the Encore Fellow.

''(H) LEADERSHIP DEVELOPMENT.—Each year, the Corporation shall convene current and former Encore Fellows to discuss the Encore Fellows' experiences related to service under this subsection and discuss strategies for increasing leadership and careers in public service in the nonprofit sector or government.

''(c) EVALUATIONS.—The Corporation shall conduct an independent evaluation of the programs authorized under subsections (a) and (b) and widely disseminate the results, including recommendations for improvement, to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.''.

SEC. 1804. INNOVATIVE AND MODEL PROGRAM SUPPORT.

Subtitle H is further amended by adding at the end the following:

"PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT

"SEC. 198D. INNOVATIVE AND MODEL PROGRAM SUPPORT.

''(a) METHODS OF CONDUCTING ACTIVITIES.—The Corporation may, through grants and fixed-amount grants (in accordance with section 129(l)), carry out the following programs:

''(1) PROGRAMS FOR DISADVANTAGED YOUTH.—A program selected from among those listed in 122(a) where no less than 75 percent of the participants are disadvantaged youth.

''(A) COMPONENTS OF PROGRAMS.—Such programs may include life skills training, employment training, educational counseling, program to complete a high-school diploma or GED, counseling, or a mentoring relationship with an adult volunteer.

''(B) PRIORITY.—Priority shall be given to programs that engage retirees to serve as mentors.

''(2) PROGRAMS THAT ENGAGE YOUTH UNDER THE AGE OF 17.—Programs that engage youth

under the age of 17 in service to the community to meet unmet human, educational, environmental, emergency and disaster preparedness, or public safety needs and may be a summer program or a year-round program. Priority shall be given to programs that collaborate with the RSVP Program and the AmeriCorps programs.

''(3) PROGRAMS THAT REDUCE RECIDIVISM.—Programs that re-engage court-involved youth and adults with the goal of reducing recidivism. Priority shall be given to such programs that create support systems beginning in corrections facilities, and programs that have life skills training, employment training, an education program, including a program to complete a high-school diploma or GED, educational and career counseling, post program placement, and support services, which could begin in corrections facilities. The program may include health and wellness programs, including but not limited to drug and alcohol treatment, mental health counseling, and smoking cessation.

''(4) PROGRAMS THAT RECRUIT CERTAIN INDIVIDUALS.—Demonstration projects for programs that have as one of their primary purposes the recruitment and acceptance of court-involved youth and adults as participants, volunteers, or members. Such a program may serve any purpose otherwise permitted under this Act.

''(5) PROGRAMS THAT SUPPORT MENTORING.—Programs that support and strengthen direct-service youth mentoring programs by increasing State resources dedicated to mentoring and to allow mentoring partnerships to assist direct-service mentoring programs through subgrants, to promote quality standards for mentoring programs, to expand mentoring opportunities tailored to the needs and circumstances of youth, to increase the number of at-risk youth in the State receiving mentoring from screened and trained adult mentors; and

''(6) PROGRAMS THAT BUILD STATE AND NATIONAL MENTORING INFRASTRUCTURE.—Programs to create statewide Mentoring Partnerships or implement youth mentoring projects of national scope.

''(7) OTHER INNOVATIVE AND MODEL PROGRAMS.—Any other innovative and model programs that the Corporation considers appropriate.

''(b) REQUIREMENTS.—

''(1) THREE-YEAR TERM.—Each program funded under this part shall be carried out over a period of three years, which may include one planning year and two additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

''(2) MATCHING FUNDS.—

''(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 76 percent of the total cost of the program in the first year and may not exceed 50 percent of the total cost of the program for the remaining years of the grant, including if the grant is extended for 1 year.

''(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

''(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

''(ii) may provide for such share through State sources or local sources, including private funds or donated services.

''(3) COLLABORATION ENCOURAGED.—Each program funded under this part is encouraged to collaborate with Learn and Serve, AmeriCorps, VISTA, and the National Senior Service Corps.

''(4) EVALUATION.—Upon completion of the program, the Corporation shall conduct an independent evaluation of the program and widely disseminate the results, including recommendations for improvement, to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.

''(c) APPLICATIONS.—To be eligible to carry out a program under this part, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.''.

SEC. 1805. SOCIAL INNOVATION FUND.

Subtitle H is further amended by adding after Part II (as added by section 1804) the following new part:

''PART III—SOCIAL INNOVATION FUND

''SEC. 198E. SOCIAL INNOVATION FUND.

''(a) FINDINGS.—Congress finds the following:

''(1) Social entrepreneurs and other nonprofit community organizations are developing innovative and effective solutions to national and local challenges.

''(2) Increased public and private investment in replicating and expanding proven effective solutions developed by social entrepreneurs and other nonprofit community organizations, could allow those entrepreneurs and organizations to replicate and expand proven initiatives in communities.

''(3) Increased public and private investment to seed new solutions to our nation's most serious challenges will create a pipeline of new social innovations.

''(4) A Social Innovation Fund could leverage Federal investments to increase State, local, business, and philanthropic resources to replicate and expand proven solutions, and invest in seeding new innovations, to tackle specific identified community challenges.

''(b) PURPOSES.—The purposes of this section are—

''(1) to recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in tackling national and local challenges;

''(2) to stimulate the development of a Social Innovation Fund that will increase private and public investment in nonprofit community organizations that are effectively addressing national and local challenges to allow such organizations to replicate and expand successful initiatives;

''(3) to assess the effectiveness of—

''(A) leveraging Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges;

''(B) providing resources to replicate and expand effective initiatives; and

''(C) seeding experimental initiatives; and

''(4) to strengthen the infrastructure to identify, invest in, and replicate and expand, initiatives with effective solutions to national and local challenges.

''(c) DEFINITIONS.—In this section—

''(1) the term 'community organization' means a nonprofit organization that carries out innovative, effective initiatives to address community challenges;

''(2) the term 'covered entity' means—

''(A) an existing grantmaking institution (existing as of the date on which the institution applies for a grant under this section); or

''(B) a partnership between—

''(i) such an existing grantmaking institution; and

''(ii) an additional grantmaking institution, a State Commission, or a chief executive officer of a unit of general local government; or

''(C) an individual nonprofit organization; and

''(3) the term 'issue area' means an area described in subsection (f)(3).

''(d) PROGRAM.—The Corporation shall establish a Social Innovation Fund grant program to make grants on a competitive basis to eligible entities.

''(e) PERIODS; AMOUNTS.—

''(1) For covered entities described in subsection (c)(2)(A) and (B), the Corporation shall make such grants for periods of 5 years, and may renew the grants for additional periods of 5 years, in amounts of not less than $1,000,000 and not more than $10,000,000 per year.

''(2) For covered entities described in subsection (c)(2)(C), the Corporation shall make grants for up to 3 years, and may renew the grants for additional periods of 3 years, in amounts up to $500,000 per year.

''(f) ELIGIBILITY.—To be eligible to receive a grant under this section, an entity shall—

''(1) be a covered entity;

''(2) be focused on—

''(A) serving a specific local geographical area; or

''(B) addressing a specific issue area, in geographical areas that have the highest need in that issue area, as demonstrated by statistics concerning that need.

''(3) be focused on improving measurable outcomes relating to—

''(A) education for economically disadvantaged students;

''(B) child and youth development;

''(C) reductions in poverty or increases in economic opportunity for economically disadvantaged individuals;

''(D) health, including access to health care and health education;

''(E) resource conservation and local environmental quality;

''(F) individual or community energy efficiency;

''(G) civic engagement; or

''(H) reductions in crime;

''(4) For covered entities described in subsection (c)(2)(A) and (B), have an evidence-based decision-making strategy including, but not limited to—

''(A) use of evidence produced by prior rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials; and

''(B) a well-articulated plan to—

''(i) replicate and expand research-proven initiatives that have been shown to produce sizeable, sustained benefits to participants or society; or

''(ii) partner with a research organization to carry out rigorous evaluations to assess the effectiveness of approaches.

''(5) For covered entities described in subsection (c)(2)(C), have an evidence-based decision-making strategy including, but not limited to—

''(A) use of evidence produced by prior rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials; or

''(B) a well-articulated plan to—

''(i) conduct rigorous evaluations to assess the effectiveness of approaches; or

''(ii) partner with a research organization to carry out rigorous evaluations to assess the effectiveness of approaches to addressing national or local challenges.

''(6) For covered entities described in subsection (c)(2)(A) and (B), have a well-articulated process for assessing community organizations for subgrants; and

''(7) have appropriate policies, as determined by the Corporation, that protect against conflict of interest, self-dealing, and other improper practices.

''(g) APPLICATION.—To be eligible to receive a grant under subsection (d) for national leveraging capital, an eligible entity shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may specify, including, at a minimum—

''(1) an assurance that the eligible entity will—

''(A) use the funds received through that capital in order to make subgrants to community organizations that will use the funds to test new initiatives, or replicate or expand proven initiatives in low-income communities;

''(B) use the funds for growth capital or to test new initiatives;

''(C) in making decisions about subgrants for communities, consult with a diverse cross section of community representatives in the decisions, including individuals from the public, nonprofit, and for-profit private sectors; and

''(D) make subgrants of a sufficient size and scope to enable the community organizations to build their capacity to test or manage initiatives, and sustain replication or expansion of the initiatives;

''(2) an assurance that the eligible entity will not make any subgrants to the parent organizations of the eligible entity, a subsidiary organization of the parent organization, or, if the eligible entity applied for funds under this section as a partnership, any member of the partnership;

''(3) an identification of, as appropriate—

''(A) the specific local geographical area referred to in subsection (f)(2)(A) that the eligible entity is proposing to serve; or

''(B) geographical areas referred to in subsection (f)(2)(B) that the eligible entity is likely to serve;

''(4)(A) information identifying the issue areas in which the eligible entity will work to improve measurable outcomes;

''(B) statistics on the needs related to those issue areas in, as appropriate—

''(i) the specific local geographical area described in paragraph (3)(A); or

''(ii) the geographical areas described in paragraph (3)(B), including statistics demonstrating that those geographical areas have the highest need in the specific issue area that the eligible entity is proposing to address; and

''(C) information on the specific measurable outcomes related to the issue areas involved that the eligible entity will seek to improve;

''(5) information describing the process by which the eligible entity selected, or will select, community organizations to receive the subgrants, to ensure that the community organizations—

''(A) are institutions with proven initiatives, with track records of achieving specific outcomes related to the measurable outcomes for the eligible entity, or are institutions that articulate a new solution with potential for substantial impact;

''(B) articulate measurable outcomes for the use of the subgrant funds that are connected to the measurable outcomes for the eligible entity;

''(C) will use the funds to test, replicate or expand their initiatives;

''(D) provide a well-defined plan for testing, replicating or expanding the initiatives funded;

''(E) can sustain the initiatives after the subgrant period concludes through reliable public revenues, earned income, or private sector funding;

''(F) have strong leadership and financial and management systems;

''(G) are committed to the use of data collection and evaluation for improvement of the initiatives;

''(H) will implement and evaluate innovative initiatives, to be important contributors to knowledge in their fields; and

''(I) will meet the requirements for providing matching funds specified in subsection (k);

''(6) information about the eligible entity, including its experience managing collaborative initiatives, or assessing applicants for grants and evaluating the performance of grant recipients for outcome-focused initiatives, and any other relevant information;

''(7) a commitment to meet the requirements of subsection (i) and a plan for meeting the requirements, including information on any funding that the eligible entity has secured to provide the matching funds required under that subsection;

''(8) a description of the eligible entity's plan for providing technical assistance and support, other than financial support, to the community organizations that will increase the ability of the community organizations to achieve their measurable outcomes;

''(9) information on the commitment, institutional capacity, and expertise of the eligible entity concerning—

''(A) collecting and analyzing data required for evaluations, compliance efforts, and other purposes;

''(B) supporting relevant research; and

''(C) submitting regular reports to the Corporation, including information on the initiatives of the community organizations, and the replication or expansion of such initiatives; and

''(10) a commitment to use data and evaluations to improve their model and be more transparent about its challenges; and

''(11) a commitment to cooperate with any evaluation activities undertaken by the Corporation.

''(h) SELECTION CRITERIA.—In selecting eligible entities to receive grants under this section, the Corporation shall—

''(1) select eligible entities on a competitive basis;

''(2) select eligible entities on the basis of the quality of their selection process, as described in subsection (g)(5), the capacity of the eligible entities to manage Social Innovation Funds, and the potential of the eligible entities to sustain the Funds after the conclusion of the grant period;

''(3) solicit broad community perspectives that inform grant-making decisions;

''(4) include among the grant recipients eligible entities that propose to provide subgrants to serve communities (such as rural low-income communities) that the eligible entities can demonstrate are significantly philanthropically underserved; and

''(5) select a geographically diverse set of eligible entities.

''(i) MATCHING FUNDS FOR GRANTS.—

''(1) IN GENERAL.—The Corporation may not make a grant to an eligible entity under this section for a Community Solutions Fund unless the entity agrees that, with respect to the cost described in subsection (d) for that Fund, the entity will make available matching funds in an amount not less than $1 for every $1 of funds provided under the grant.

''(2) NON-FEDERAL SHARE.—The eligible entity shall provide the matching funds in cash.

''(j) RESERVED PROGRAM FUNDS FOR RESEARCH AND EVALUATION.—The Corporation may reserve up to 5 percent of total program funds appropriated to carry out this section for a fiscal year to support research and evaluation related to this section.

''(k) ADVISORY PANEL.—

''(1) IN GENERAL.—Under authority of section 195 (f) of the National and Community Service Act of 1990, the Chief Executive Officer, in consultation with the Board, shall establish an Advisory Panel to provide advice and input about carrying out this section. The Advisory Panel may collectively have experience in—

''(A) social entrepreneurship and social enterprise;

''(B) the management and operation of small nonprofit organizations and large nonprofit organizations;

''(C) business, including a business with experience working with a startup enterprises, experience growing businesses, experience with corporate social responsibility or a business with experience working with the nonprofit sector;

''(D) philanthropy, including an understanding of philanthropic challenges in urban and rural areas and in areas that are philanthropically underserved;

''(E) qualitative and quantitative social science research, including scientifically-rigorous evaluations of program effectiveness; data driven decision making and evidence-based policymaking;

''(F) volunteering, including effective volunteer management; and

''(G) government, including the management of government agencies and the role of government programs in providing services.

''(2) OTHER QUALIFICATIONS.—The Advisory Panel shall include a diverse range of individuals, including young people, and individuals from diverse economic, racial, ethnic, and religious backgrounds, and individuals from diverse geographic areas.

''(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.''.

SEC. 1806. CLEARINGHOUSES.

Subtitle H is further amended by adding at the end the following:

''PART IV—NATIONAL SERVICE PROGRAMS CLEARINGHOUSE

''SEC. 198F. NATIONAL SERVICE PROGRAMS CLEARINGHOUSE.

''(a) IN GENERAL.—The Corporation shall provide assistance, either by grant, contract, or cooperative agreement, to entities with expertise in the dissemination of information through clearinghouses to establish one or more clearinghouses for the national service laws.

''(b) FUNCTION OF CLEARINGHOUSE.—Such a clearinghouse may—

''(1) assist entities carrying out State or local service-learning and national service programs with needs assessments and planning;

''(2) conduct research and evaluations concerning service-learning or programs receiving assistance under the national service laws unless the recipient is receiving funds for such purpose under part III of subtitle B and under subtitle H;

''(3)(A) provide leadership development and training to State and local service-learning program administrators, supervisors, service sponsors, and participants; and

''(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

''(4) facilitate communication among entities carrying out service-learning programs and programs offered under the national service laws and participants in such programs;

''(5) provide and disseminate information and curriculum materials relating to planning and operating service-learning programs and programs offered under the national service laws, to States, Territories, Indian tribes, and local entities eligible to receive financial assistance under the national service laws;

''(6) provide and disseminate information regarding methods to make service-learning programs and programs offered under the national service laws accessible to individuals with disabilities;

''(7) disseminate applications in languages other than English;

''(8)(A) gather and disseminate information on successful service-learning programs and programs offered under the national service laws, components of such successful programs, innovative curricula related to service-learning, and service-learning projects; and

''(B) coordinate the activities of the Clearinghouse with appropriate entities to avoid duplication of effort;

''(9) make recommendations to State and local entities on quality controls to improve the quality of service-learning programs and programs offered under the national service laws;

''(10) assist organizations in recruiting, screening, and placing a diverse population of service-learning coordinators and program sponsors;

''(11) disseminate effective strategies for working with disadvantaged youth in national service programs as determined by organizations with an established expertise working with such youth;

''(12) collaborate with State and local Mentoring Partnerships and directly with youth mentoring organizations to disseminate effective

strategies for the recruiting, training, and screening of responsible adult mentors and best practices for building quality relationships between adult mentors and youth mentees; and

''(13) carry out such other activities as the Chief Executive Officer determines to be appropriate.''.

Subtitle I—Training and Technical Assistance

SEC. 1821. TRAINING AND TECHNICAL ASSISTANCE.

Title I is further amended by adding at the end the following new subtitle:

''Subtitle J—Training and Technical Assistance

''SEC. 199N. TRAINING AND TECHNICAL ASSISTANCE.

''(a) IN GENERAL.—The Corporation shall conduct, either directly or through grants, contracts, or cooperative agreements, including through State Commissions on National and Community Service, appropriate training and technical assistance to—

''(1) programs receiving assistance under the national service laws; and

''(2) entities (particularly those in rural areas and underserved communities)—

''(A) that desire to carry out or establish national service programs;

''(B) that desire to apply for assistance under the national service laws; or

''(C) that desire to apply for a subgrant under the national service laws.

''(b) ACTIVITIES INCLUDED.—Such training and technical assistance activities may include—

''(1) providing technical assistance to those applying to carry out national service programs or those carrying out national service programs;

''(2) promoting leadership development in national service programs;

''(3) improving the instructional and programmatic quality of national service programs;

''(4) developing the management and budgetary skills of those operating or overseeing national service programs, including to increase the cost effectiveness of the programs under the national service laws;

''(5) providing for or improving the training provided to the participants in programs under the national service laws;

''(6) facilitating the education of national service programs in risk management procedures, including the training of participants in appropriate risk management practices;

''(7) training of those operating or overseeing national service programs in volunteer recruitment, management, and retention to improve the abilities of such individuals to use participants and other volunteers in an effective manner which results in high quality service and the desire of participants or volunteers to continue to serve in other capacities after the program is completed;

''(8) training of those operating or overseeing national service programs in program evaluation and performance measures to inform practices to augment the capacity and sustainability of the program;

''(9) training of those operating or overseeing national service programs to effectively accommodate people with disabilities to increase the participation of people with disabilities in national service programs. Such activities may utilize funding from the reservation of funds to increase the participation of individuals with disabilities as described in section 129(j);

''(10) establishing networks and collaboration among employers, educators, and other key stakeholders in the community to further leverage resources to increase local participation and to coordinate community-wide planning and service;

''(11) providing training and technical assistance for the National Senior Service Corps, including providing such training and technical assistance to programs receiving assistance under section 201 of the Domestic Volunteer Service Act of 1973; and

''(12) carrying out such other activities as the Chief Executive Officer determines to be appropriate.

''(c) PRIORITY.—The Corporation shall give priority to programs under the national service laws and those entities eligible to establish programs under the national service laws seeking training or technical assistance that—

''(1) seek to carry out high quality programs where the services are needed most;

''(2) seek to carry out high quality programs where national service programs do not currently exist or where the programs are too limited to meet community needs;

''(3) seek to carry out high quality programs that focus on and provide service opportunities for underserved rural and urban areas and populations; and

''(4) assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.''.

Subtitle J—Repeal of Title III (Points of Light Foundation)

SEC. 1831. REPEAL.

Title III (42 U.S.C. 12661 et seq.) is repealed.

Subtitle K—Amendments to Title V (Authorization of Appropriations)

SEC. 1841. AUTHORIZATION OF APPROPRIATIONS.

Section 501 (42 U.S.C. 12681) is amended to read as follows:

''SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

''(a) TITLE I.—

''(1) SUBTITLE B.—

''(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I—

''(i) $97,000,000 for fiscal year 2010; and

''(ii) such sums as may be necessary for each of fiscal years 2011 through 2014.

''(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year—

''(i) not more than 60 percent shall be available to provide financial assistance under part I of subtitle B of title I;

''(ii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle; and

''(iii) not less than 15 percent shall be available to provide financial assistance under part III of such subtitle.

''(C) SPECIAL ALLOCATIONS.—Of the amount appropriated under subparagraph (A) for a fiscal year, up to $10,000,000 shall be for summer of service grants, $20,000,000 for youth engagement zones, $7,000,000 for Campuses of Service, and up to $10,000,000 shall be deposited in the National Service Trust to support summer of service educational awards, consistent with section 120(c)(8).

''(2) SUBTITLES C, D, AND H.—

''(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, to administer the National Service Trust and disburse national service educational awards and scholarships under subtitle D of title I, and to carry out such audits and evaluations as the Chief Executive Officer of the Corporation may determine to be necessary, such sums as may be necessary for each of fiscal years 2010 through 2014.

''(B) PRIORITY.—Notwithstanding any other provision of this Act, in obligating the amounts made available pursuant to the authorization of appropriations in subparagraph (C), priority shall be given to programs carried out in areas for which the President has declared the existence of a major disaster, in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), as a consequence of Hurricanes Katrina and Rita.

''(3) SUBTITLE E.—There are authorized to be appropriated to operate the National Civilian Community Corps and provide financial assistance under subtitle E of title I, $35,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.

''(4) ADMINISTRATION.—

''(A) CORPORATION.—There are authorized to be appropriated for the Corporation's administration of the national service laws such sums as may be necessary for each of fiscal years 2010 through 2014.

''(B) STATE COMMISSIONS.—There are authorized to be appropriated for assistance to State Commissions under section 126(a), such sums as may be necessary for each of fiscal years 2010 through 2014.

''(5) TRAINING AND TECHNICAL ASSISTANCE.—Of the amounts appropriated for a fiscal year under subtitles B, C, and H of title I of this Act and under titles I and II of the Domestic Volunteer Service Act of 1973, the Corporation shall reserve up to 2.5 percent to carry out subtitle J of this Act. Notwithstanding subsection (b), amounts so reserved shall be available only for the fiscal year for which they are reserved.

''(b) AVAILABILITY OF APPROPRIATIONS.—Funds appropriated under this section shall remain available until expended.''.

TITLE II—AMENDMENTS TO THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973

SEC. 2001. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of a provision, the reference shall be considered to be made to a provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

Subtitle A—Amendments to Title I (National Volunteer Antipoverty Programs)

SEC. 2101. PURPOSE.

Section 2 (42 U.S.C. 4950) is amended—

(1) in subsection (a), by striking ''both young and older citizens'' and inserting ''citizens of all ages and backgrounds''; and

(2) in subsection (b), by striking ''local agencies'' and all that follows through the period at the end and inserting ''local agencies, expand relationships with, and support for, the efforts of civic, community, and educational organizations, and utilize the energy, innovative spirit, experience, and skills of all Americans.''.

SEC. 2102. PURPOSE OF THE VISTA PROGRAM.

Section 101 (42 U.S.C. 4951) is amended—

(1) in the second sentence, by striking ''afflicted with'' and inserting ''affected by''; and

(2) in the third sentence, by striking ''local level'' and all that follows through the period at the end and inserting ''local level, to support efforts by local agencies and organizations to achieve long-term sustainability of projects, consistent with section 185 of the National and Community Service Act of 1990, initiated or expanded under the VISTA program activities, and to strengthen local agencies and community organizations to carry out the purpose of this part.''.

SEC. 2103. APPLICATIONS.

Section 103 (42 U.S.C. 4953) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''the Commonwealth of the Northern Mariana Islands,'' after ''American Samoa,''; and

(B) in paragraph (2)—

(i) by striking ''handicapped'' and inserting ''disabled''; and

(ii) by striking ''handicaps'' and inserting ''disabilities'';

(C) in paragraph (3), by striking ''jobless, the hungry, and low-income'' and inserting ''unemployed, the hungry, and low-income'';

(D) in paragraph (4), by striking ''prevention, education,'' and inserting ''through prevention, education, rehabilitation, and treatment,'';

(E) in paragraph (5), by inserting '', mental illness,'' after ''including'';

(F) in paragraph (6), by striking ''; and'' and inserting a semicolon;

(G) in paragraph (7), by striking the period and inserting a semicolon; and

(H) by adding at the end the following new paragraphs:

''(8) in the re-entry and re-integration of formerly incarcerated youth and adults into society, including life skills training, employment training, counseling, educational training, and educational counseling;

''(9) in developing and carrying out financial literacy, financial planning, budgeting, savings, and reputable credit accessibility programs in low-income communities, including those programs which educate on financing home ownership and higher education;

''(10) in initiating and supporting before-school and after-school programs servicing children in low-income communities that may engage participants in mentoring relationships, tutoring, life skills, or study skills programs, service-learning, physical, nutrition, and health education programs, including programs aimed at fighting childhood obesity, and other activities addressing the needs of the community's children;

''(11) in establishing and supporting community economic development initiatives, including micro-enterprises, with a priority on such programs in rural areas and other areas where such programs are needed most;

''(12) in assisting veterans and their families through establishing or augmenting programs which assist such persons with access to legal assistance, health care (including mental health), employment counseling or training, education counseling or training, affordable housing, and other support services; and

''(13) in addressing the health and wellness of low-income and underserved communities, including programs to increase access to preventive services, insurance, and health care.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''recruitment and placement procedures'' and inserting ''placement procedures that involve sponsoring organizations and'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''related to the recruitment and'' and inserting ''related to the'';

(II) by striking ''in conjunction with recruitment and'' and inserting ''in conjunction with the''; and

(III) by striking ''1993. Upon'' and all that follows through the period at the end and inserting ''1993.'';

(ii) in subparagraph (B), by striking ''central information system that shall, on request, promptly provide'' and inserting ''database that provides''; and

(iii) in subparagraph (C)—

(I) by striking ''timely and effective'' and inserting ''timely and cost-effective''; and

(II) by striking ''the recruitment of volunteers'' and inserting ''recruitment and management of volunteers''; and

(C) in paragraph (3), by adding at the end the following: ''The Director shall give priority to—

''(A) disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) and low-income adults; and

''(B) retired adults of any profession, but with an emphasis on those professions whose services and training are most needed in a community, such as the health care professions, teaching, counseling, and engineering and other professions requiring a high level of technical and project management skills, to utilize their experience, including professional skills, in the VISTA program.'';

(D) in paragraph (5)(B), by striking ''information system'' and inserting ''database'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''personnel described in subsection (b)(2)(C)'' and inserting ''personnel described in subsection (b)(2)(C) and sponsoring organizations'';

(ii) in subparagraph (A), by inserting ''the Internet and related technologies,'' after ''television,'';

(iii) in subparagraph (B), by inserting ''Internet and related technologies,'' after ''through the'';

(iv) in subparagraph (C), by inserting after ''senior citizens organizations,'' the following: ''offices of economic development, State employment security agencies, employment offices,'';

(v) in subparagraph (F), by striking ''National and Community Service Trust Act of 1993'' and inserting ''National and Community Service Act of 1990''; and

(vi) in subparagraph (G), by striking '', on request,'';

(B) in paragraph (3), by striking ''this subsection'' and inserting ''this subsection and related public awareness and recruitment activities under the national service laws''; and

(C) in paragraph (4)—

(i) by striking ''Beginning'' and all that follows through ''for the purpose'' and inserting ''For the purpose''; and

(ii) by striking ''1.5 percent'' and inserting ''2 percent'';

(4) by amending the second sentence of subsection (d) to read as follows: ''Whenever feasible, such efforts shall be coordinated with an appropriate local workforce investment board established under section 117 of the Workforce Investment Act of 1998.'';

(5) in subsection (g) by striking ''and has been submitted to the Governor'' and all that follows and inserting a period; and

(6) by adding at the end the following:

''(i) The Director may enter into agreements under which public and private nonprofit organizations, with sufficient financial capacity and size, pay for all or a portion of the costs of supporting the service of volunteers under this title, consistent with the provisions of section 186 of the National and Community Service Act of 1990.''.

SEC. 2104. VISTA PROGRAMS OF NATIONAL SIGNIFICANCE.

Part A of title I is amended by inserting after section 103 (42 U.S.C. 4953) the following:

''SEC. 103A. VISTA PROGRAMS OF NATIONAL SIGNIFICANCE.

''(a) IN GENERAL.—With not less than one-third of the funds made available under subsection (d) in each fiscal year, the Director shall make grants for VISTA positions to support programs of national significance. Each program for which a grant is received under this subsection shall be carried out in accordance with the requirements applicable to that program.

''(b) ACTIVITIES SUPPORTED.—The Director shall make grants under subsection (a) to support one or more of the following programs to address problems that concern low-income and rural communities in the Nation:

''(1) In the re-entry and re-integration of formerly incarcerated youth and adults into society, including life skills training, employment training, counseling, educational training, and educational counseling.

''(2) In developing and carrying-out financial literacy, financial planning, budgeting, savings, and reputable credit accessibility programs in low-income communities, including those programs which educate on financing home ownership and higher education.

''(3) In initiating and supporting before-school and after-school programs in low-income communities that may include such activities as establishing mentoring relationships, physical education, tutoring, instruction in 21st century thinking skills, life skills, and study skills, community service, service-learning, nutrition and health education, and other activities aimed at keeping children, safe, educated, and healthy, which serve the children in such community.

''(4) In establishing and supporting community economic development initiatives, including micro-enterprises, with a priority on such programs in rural areas and areas where such programs are needed most.

''(5) In assisting veterans and their families through establishing or augmenting programs which assist such persons with access to legal assistance, health care (including mental health), employment counseling or training, education counseling or training, affordable housing, and other support services.

''(6) In addressing the health and wellness of low-income and underserved communities across our Nation, including programs to fight childhood obesity through nutrition, physical fitness, and other associated life skills education programs and programs to increase access to preventive services, insurance, and health care.

''(c) REQUIREMENTS.—

''(1) ELIGIBILITY.—In order to receive a grant under subsection (a), an applicant shall submit an application to the Director at such time and in such manner as the Director requires and receive approval of the application. Such application shall, at a minimum, demonstrate to the Director a level of expertise in carrying out such a program.

''(2) SUPPLEMENT NOT SUPPLANT.—Funds made available under subsection (d) shall be used to supplement and not supplant the number of VISTA volunteers engaged in programs addressing the problem for which such funds are awarded unless such sums are an extension of funds previously provided under this title.

''(d) FUNDING.—

''(1) IN GENERAL.—From the amounts appropriate under section 501 for each fiscal year there shall be available to the Director such sums as may be necessary to make grants under subsection (a).

''(2) LIMITATION.—No funds shall be made available to the Director to make grants under subsection (a) unless the amounts appropriated under section 501 available for such fiscal year to carry out part A are sufficient to maintain the number of projects and volunteers funded under part A in the preceding fiscal year.

''(e) INFORMATION.—The Director shall widely disseminate information on grants that may be made under this section, including through volunteer recruitment programs being carried out by public or private non-profit organizations.''.

SEC. 2105. TERMS AND PERIODS OF SERVICE.

Section 104(d) (42 U.S.C. 4954(d)) is amended—

(1) in the first sentence, by striking ''with the terms and conditions of their service.'' and inserting ''with the terms and conditions of their service or any adverse action, such as termination, proposed by the sponsoring organization. The procedure shall provide for an appeal to the Director of any proposed termination.''; and

(2) in the third sentence (as amended by this section), by striking ''and the terms and conditions of their service''.

SEC. 2106. SUPPORT SERVICE.

Section 105(a)(1)(B) (42 U.S.C. 4955(a)(1)(B)) is amended by striking ''Such stipend'' and all that follows through ''in the case of persons'' and inserting ''Such stipend shall be set at a minimum of $125 per month and a maximum of $150 per month, subject to the availability of funds to accomplish such a maximum. The Director may provide a stipend of $250 per month in the case of persons''.

SEC. 2107. SECTIONS REPEALED.

The following provisions are repealed:

(1) VISTA LITERACY CORPS.—Section 109 (42 U.S.C. 4959).

(2) UNIVERSITY YEAR FOR VISTA.—Part B of title I (42 U.S.C. 4971 et seq.).

(3) LITERACY CHALLENGE GRANTS.—Section 124 (42 U.S.C. 4995).

SEC. 2108. CONFORMING AMENDMENT.

Section 121 (42 U.S.C. 4991) is amended in the second sentence by striking ''situations'' and inserting ''organizations''.

SEC. 2109. FINANCIAL ASSISTANCE.

Section 123 (42 U.S.C. 4993) is amended—

*(1) in the section heading by striking ''**TECHNICAL AND**''; and*

(2) by striking ''technical and''.

Subtitle B—Amendments to Title II (National Senior Volunteer Corps)

SEC. 2201. CHANGE IN NAME.

*Title II (42 U.S.C. 5000 et seq.) is amended in the title heading by striking ''**NATIONAL SENIOR VOLUNTEER CORPS**'' and inserting ''**NATIONAL SENIOR SERVICE CORPS**''.*

SEC. 2202. PURPOSE.

Section 200 (42 U.S.C. 5000) is amended to read as follows:

''SEC. 200. STATEMENT OF PURPOSE.

''It is the purpose of this title to provide—

''(1) opportunities for senior service to meet unmet local, State, and national needs in the areas of education, public safety, emergency and disaster preparedness, relief, and recovery, health and human needs, and the environment;

''(2) for the National Senior Service Corps, comprised of the Retired and Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, and demonstration and other programs to empower people 55 years of age or older to contribute to their communities through service, enhance the lives of those who serve and those whom they serve, and provide communities with valuable services;

''(3) opportunities for people 55 years of age or older, through the Retired and Senior Volunteer Program, to share their knowledge, experiences, abilities, and skills for the betterment of their communities and themselves;

''(4) opportunities for low-income people 55 years of age or older, through the Foster Grandparents Program, to have a positive impact on the lives of children in need;

''(5) opportunities for low-income people 55 years of age or older, through the Senior Companion Program, to provide critical support services and companionship to adults at risk of institutionalization and who are struggling to maintain a dignified independent life; and

''(6) for research, training, demonstration, and other program activities to increase and improve opportunities for people 55 years of age or older to meet unmet needs, including those related to public safety, public health, and emergency and disaster preparedness, relief, and recovery, in their communities.''.

SEC. 2203. GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS.

Section 201 (42 U.S.C. 5001) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''avail themselves of opportunities for volunteer service in their community'' and inserting ''share their experiences, abilities, and skills for the betterment of their communities and themselves through service'';

(B) in paragraph (2), by striking '', and individuals 60 years of age or older will be given priority for enrollment,'';

(C) in paragraph (3), by inserting ''either prior to or during the volunteer service'' after ''may be necessary''; and

(D) by striking paragraph (4) and inserting the following:

''(4) the project is being designed and implemented with the advice of experts in the field of service to be delivered as well as with those who have expertise in the recruitment and management of volunteers, particularly those of the Baby Boom generation.'';

(2) by amending subsection (c) to read as follows:

''(c) The Director shall give priority to projects—

''(1) utilizing retired scientists, technicians, engineers, and mathematicians (the STEM professionals) to improve Science, Technology, Engineering, and Mathematics (STEM) education through activities such as assisting teachers in classroom demonstrations or laboratory experiences, running after-school, weekend, or summer programs designed to engage disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) or low-income, minority youth in the STEM fields and to improve mastery of the STEM content, providing field trips to businesses, institutions of higher education, museums, and other locations where the STEM professions are practiced or illuminated;

''(2) utilizing retired health care professionals to improve the health and wellness of low income or rural communities;

''(3) utilizing retired criminal justice professionals for programs designed to prevent disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) from joining gangs or committing crimes;

''(4) utilizing retired military and emergency professionals for programs to improve public safety, emergency and disaster preparedness, relief, and recovery, search and rescue, and homeland security efforts; and

''(5) utilizing retired computer science professionals, technicians of related technologies, business professionals, and others with relevant knowledge to increase, for low income individuals and families, access to and obtaining the benefits from computers and other existing and emerging technologies.''; and

(3) by adding at the end the following:

''(e) COMPETITIVE GRANT AWARDS REQUIRED.—

''(1) IN GENERAL.—Effective for fiscal year 2013 and each fiscal year thereafter, each grant or contract awarded under this section in such a year shall be—

''(A) awarded for a period of 3 years; and

''(B) awarded through a competitive process.

''(2) ELEMENTS OF COMPETITIVE PROCESS.—The competitive process required by paragraph (1)(B)—

''(A) shall include the use of a peer review panel, including members with expertise in senior service and aging;

''(B) shall ensure that—

''(i) the resulting grants (or contracts) support no less than the volunteer service years of the previous grant (or contract) cycle in a given geographic service area;

''(ii) the resulting grants (or contracts) maintain a similar program distribution; and

''(iii) every effort is made to minimize the disruption to volunteers; and

''(C) shall include the performance measures, outcomes, and other criteria established under subsection (f).

''(3) ESTABLISHMENT OF COMPETITIVE PROCESS.—The Corporation shall establish and make available the competitive process required by paragraph (1)(B) no later than 18 months after the date of the enactment of this subsection. The Corporation shall consult with the program directors of the Retired Senior Volunteer Program during development and implementation of the competitive process.

''(f) EVALUATION PROCESS REQUIRED.—

''(1) IN GENERAL.—Notwithstanding section 412, and effective beginning 180 days after the date of the enactment of this subsection, each grant or contract under this section that expires in fiscal year 2011, 2012, and 2013 shall be subject to an evaluation process. The evaluation process shall be carried out, to the maximum extent practicable, in fiscal year 2010, 2011, and 2012, respectively.

''(2) ELEMENTS OF EVALUATION PROCESS.—The evaluation process required by paragraph (1)—

''(A) shall include performance measures, outcomes, and other criteria; and

''(B) shall evaluate the extent to which the recipient of the grant or contract meets or exceeds such performance measures, outcomes, and other criteria.

''(3) ESTABLISHMENT OF EVALUATION PROCESS.—The Corporation shall, in collaboration and consultation with program directors of the Retired Senior Volunteer Program, establish and make available the evaluation process required by paragraph (1), including the performance measures, outcomes, and other criteria required by paragraph (2)(A), with particular attention to the different needs of rural and urban programs. The processes shall be established and made available, including notification of the available training and technical assistance, no later than 180 days after the date of the enactment of this subsection.

''(4) EFFECT OF FAILING TO MEET PERFORMANCE MEASURES.—If the evaluation process determines that the recipient has failed to meet or exceed the performance measures, outcomes, and other criteria established under this subsection, the grant or contract shall not be renewed. Any successor grant or contract shall be awarded through the competitive process described in subsection (e)(1).

''(5) SPECIAL RULE.—The Corporation may continue to fund a program which has failed to meet or exceed the performance measures, outcomes, and other criteria established under this subsection for up to 12 months if competition does not result in a successor grant or contract for such program, in order to minimize the disruption to volunteers and disruption of services. In such a case, outreach shall be conducted and a new competition shall be established. The previous recipient shall remain eligible for the new competition.

''(6) PERFORMANCE MEASURES.—

''(A) IN GENERAL.—The performance measures, outcomes, and other criteria established under this subsection may be updated or modified as necessary, in consultation with program directors for the Retired Senior Volunteer Program, but no earlier than fiscal year 2014.

''(B) OPERATIONAL PROBLEMS.—Effective for fiscal years before fiscal year 2014, the Corporation may, after consulting with program directors of the Retired Senior Volunteer Program, determine that a performance measure, outcome, or criterion established under this subsection is operationally problematic, and may, in consultation with program directors of the Retired Senior Volunteer Program and after notifying the appropriate committees of Congress—

''(i) eliminate the use of that performance measure, outcome, or criterion; or

''(ii) modify that performance measure, outcome, or criterion as necessary to render it no longer operationally problematic.

''(g) ONLINE RESOURCE GUIDE.—The Corporation shall develop and disseminate an online resource guide for the Retired Senior Volunteer Program within 180 days after the date of the enactment of this subsection, which shall include, but not be limited to—

''(1) examples of high performing programs;

''(2) corrective actions for underperforming programs; and

''(3) examples of meaningful outcome-based performance measures that capture a program's mission and priorities.

''(h) REPORT TO CONGRESS.—Not later than September 30, 2013, the Corporation shall submit to the appropriate committees of Congress a report on—

''(1) the number of programs that did not meet or exceed the established performance measures, outcomes, and other criteria established under subsection (f);

''(2) the number of new grants awarded;

''(3) the challenges to the implementation of evaluation and competition, including but not limited to geographic distribution and the minimization of disruption to volunteers; and

''(4) how the current program geographic distribution affects recruitment for the Retired Senior Volunteer Program.''.

SEC. 2204. FOSTER GRANDPARENT PROGRAM GRANTS.

Section 211 (42 U.S.C. 5011) is amended—

(1) in subsection (a)—

(A) by striking ''low-income persons aged sixty or over'' and inserting ''low-income and other persons aged 55 or over''; and

(B) by striking ''children having exceptional needs'' and inserting ''children having special

or exceptional needs or with conditions or circumstances identified as limiting their academic, social, or emotional development'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''shall have the exclusive authority to determine, pursuant to the provisions of paragraph (2) of this subsection—'' and inserting ''may determine—'';

(ii) in subparagraph (A), by striking ''and'';

(iii) in subparagraph (B), by striking the period and inserting ''; and''; and

(iv) by adding after subparagraph (B) the following:

''(C) whether it is in the best interests of a child receiving, and of a particular foster grandparent providing, services in such a project, to continue such relationship after the child reaches the age of 21, if such child was receiving such services prior to attaining the age of 21.'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2);

(D) in paragraph (2) (as redesignated by this section), by striking ''paragraphs (1) and (2)'' and inserting ''paragraph (1)''; and

(E) by adding after paragraph (2) (as redesignated by this section) the following:

''(3) If an assignment of a foster grandparent is suspended or discontinued, the replacement of that foster grandparent shall be determined through the mutual agreement of all parties involved in the provision of services to the child.'';

(3) in subsection (d), in the second sentence, by striking ''Any stipend'' and all that follows through ''inflation,'' and inserting ''Any stipend or allowance provided under this part shall not exceed 75 percent of the minimum wage under section 6 the Fair Labor Standards Act of 1938 (29 U.S.C. 206), and the Federal share shall not be less than $2.65 per hour, provided that the Director shall adjust the Federal share once prior to December 31, 2012, to account for inflation,'';

(4) in subsection (e)—

(A) in paragraph (1), by striking ''125'' and inserting ''200''; and

(B) in paragraph (2), by striking '', as so adjusted'' and all that follows through ''local situations'';

(5) by striking subsection (f) and inserting:

''(f)(1) Subject to the restrictions in paragraph (3), individuals who are not low-income persons may serve as volunteers under this part. The regulations issued by the Director to carry out this part (other than regulations relating to stipends or allowances to individuals authorized by subsection (d)) shall apply to all volunteers under this part, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d).

''(2) Except as provided under paragraph (1), each recipient of a grant or contract to carry out a project under this part shall give equal treatment to all volunteers who participate in such project, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d).

''(3) An individual who is not a low-income person may not become a volunteer under this part if allowing that individual to become a volunteer under this part would prevent a low-income person from becoming a volunteer under this part or would displace a low-income person from being a volunteer under this part.''; and

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

''(g) The Director may also provide a stipend or allowance in an amount not to exceed 10 percent more than the amount established under subsection (d) to leaders who, on the basis of past experience as volunteers, special skills, and demonstrated leadership abilities, may coordinate activities, including training, and otherwise support the service of volunteers under this part.

''(h) The program may accept up to 15 percent of volunteers serving in a project under this part for a fiscal year who do not meet the definition of 'low-income' under subsection (e), upon certification by the recipient of a grant or contract that it is unable to effectively recruit and place low-income volunteers in the number of placements approved for the project.''.

SEC. 2205. SENIOR COMPANION PROGRAM GRANTS.

Section 213 (42 U.S.C. 5013) is amended—

(1) in subsection (a), by striking ''low-income persons aged 60 or over'' and inserting ''low-income and other persons aged 55 or over'';

(2) in subsection (b), by striking ''Subsections (d), (e), and (f)'' and inserting ''Subsections (d) through (h)''; and

(3) by striking subsection (c)(2)(B) and inserting the following:

''(B) Senior companion volunteer trainers and leaders may receive a stipend or allowance consistent with subsection (g) authorized under subsection (d) of section 211, as approved by the Director.''.

SEC. 2206. PROMOTION OF NATIONAL SENIOR SERVICE CORPS.

Section 221 (42 U.S.C. 5021) is amended—

(1) in the section heading, by striking ''VOLUNTEER'' and inserting ''SERVICE''; and

(2) in subsection (b)(2), by inserting ''of all ages and backgrounds living in rural, suburban, and urban localities'' after ''greater participation of volunteers''.

SEC. 2207. TECHNICAL AMENDMENTS.

(a) CHANGE IN AGE ELIGIBILITY.—Section 223 (42 U.S.C. 5023) is amended by striking ''sixty years and older from minority groups'' and inserting ''55 years and older from minority and underserved populations''.

(b) NAME CHANGE.—Section 224 (42 U.S.C. 5024) is amended in the heading by striking ''VOLUNTEER'' and inserting ''SERVICE''.

SEC. 2208. PROGRAMS OF NATIONAL SIGNIFICANCE.

Section 225 (42 U.S.C. 5025) is amended—

(1) in subsection (a)—

(A) by amending paragraph (2) to read as follows:

''(2) Applicants for grants under paragraph (1) shall determine which program under part A, B, or C the program shall be carried out and submit an application as required for programs under part A, B, or C.''; and

(B) by adding at the end the following:

''(4) To the maximum extent practicable, the Director shall ensure that at least 25 percent of the grants under this subsection are made to applicants not receiving assistance from the Corporation at the time of such grant and, when possible, from locations where no programs under part A, B, or C are in effect at the time of such grant. In a fiscal year where less than 25 percent of the applicants are applicants not receiving such assistance, the Director may make more than 75 percent of such grants to applicants receiving such assistance.'';

(2) in subsection (b)—

(A) in paragraph (1), by inserting before the period at the end the following: ''or Alzheimer's disease, with an intent of allowing those served to age in place'';

(B) in paragraph (2), by inserting before the period at the end the following: ''through education, prevention, treatment, and rehabilitation'';

(C) in paragraph (3), by inserting before the period at the end the following: '', including programs that teach parenting skills, life skills, and family management skills'';

(D) by amending paragraph (4) to read as follows:

''(4) Programs that establish and support mentoring programs for disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990), including those mentoring programs that match youth with volunteer mentors leading to apprenticeship programs and employment training.'';

(E) in paragraph (5), by inserting before the period at the end the following: '', including those programs that serve youth and adults with limited English proficiency'';

(F) in paragraph (6), by striking ''and'' and all that follows through the period and insert ''and for individuals and children with disabilities or chronic illnesses living at home.'';

(G) in paragraph (7), by striking ''after-school activities'' and all that follows through the period at the end and inserting ''after-school programs serving children in low-income communities that may engage participants in mentoring relationships, tutoring, life skills or study skills programs, service-learning, physical, nutrition, and health education programs, including programs aimed at fighting childhood obesity, and other activities addressing the needs of the community's children, including those of working parents.'';

(H) by striking paragraphs (8), (9), (12), (13), (14), (15), (16), and (18);

(I) by redesignating paragraphs (10) and (11) as paragraphs (8) and (9), respectively;

(J) by inserting after paragraph (9) (as so redesignated) the following:

''(10) Programs that engage older adults with children and youth to complete service in energy conservation, environmental stewardship, or other environmental needs of a community, including conducting energy audits, insulating homes, or conducting other activities to promote energy efficiency.

''(11) Programs that collaborate with criminal justice professionals and organizations in prevention programs aimed at disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) or youth re-entering society after incarceration and their families, which may include mentoring and counseling, which many include employment counseling.'';

(K) by redesignating paragraph (17) as paragraph (12); and

(L) by adding at the end the following:

''(13) Programs that strengthen community efforts in support of homeland security.'';

(3) in subsection (c)(1), by striking ''shall demonstrate to the Director'' and all that follows through the period at the end and inserting ''shall demonstrate to the Director a level of expertise in carrying out such a program.''; and

(4) in subsection (e)—

(A) by inserting ''widely'' before ''disseminate''; and

(B) by striking ''to field personnel'' and all that follows through the period at the end and inserting '', including through volunteer recruitment programs being carried out by public or private non-profit organizations.''.

SEC. 2209. ADDITIONAL PROVISIONS.

Part D of title II (42 U.S.C. 5000 et seq.) is amended by adding after section 227 the following:

''SEC. 228. CONTINUITY OF SERVICE.

''To ensure the continued service of individuals in communities served by the Retired and Senior Volunteer Program prior to enactment of this section, in making grants under this title the Corporation shall take actions it considers necessary to maintain service assignments for such seniors and to ensure continuity of service for communities.

''SEC. 229. ACCEPTANCE OF DONATIONS.

''(a) IN GENERAL.—Except as provided in subsection (b), a program receiving assistance under this title may accept donations, including donations in cash or in kind.

''(b) EXCEPTION.—Notwithstanding subsection (a), a program receiving assistance under this title shall not accept donations from the beneficiaries of the program.''.

SEC. 2210. AUTHORITY OF DIRECTOR.

Section 231 (42 U.S.C. 5028) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—

''(1) ACTIVITIES AUTHORIZED.—The Director is authorized to—

''(A) make grants to or enter into contracts with public or nonprofit organizations, including organizations funded under part A, B, or C, for the purposes of demonstrating innovative activities involving older Americans as volunteers; and

''(B) make incentive grants under subsection (d).

''(2) SUPPORT OF VOLUNTEERS.—The Director may support under this part both volunteers receiving stipends and volunteers not receiving stipends.'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''subsection (a)'' and inserting ''subsection (a)(1)(A)'';

(B) in paragraph (1), by striking ''activities;'' and inserting ''activities described in section 225(b) and carried out through programs described in parts A, B, and C;''; and

(C) by striking paragraphs (2) and (3) and inserting the following:

''(2) programs that support older Americans in aging in place while augmenting the capacity of members of a community to serve each other through reciprocal service centers, service credit banking, community economic scripts, barter services, timebanking, and other similar programs where services are exchanged and not paid for; or

''(3) grants to non-profit organizations to establish sites or programs to—

''(A) assist retiring or retired individuals in locating opportunities for—

''(i) public service roles, including through paid or volunteer service;

''(ii) participating in life-planning programs, including financial planning and issues revolving around health and wellness; and

''(iii) continuing education, including leadership development, health and wellness, and technological literacy; and

''(B) connect retiring or retired individuals with members of the community to serve as leaders and mentors in life planning, relationships, employment counseling, education counseling, and other areas of expertise as developed by the retiring or retired adults.''; and

(3) by adding at the end the following:

''(c) PRIORITY.—For purposes of subsection (b)(2), priority shall be given to—

''(1) programs with established experience in carrying out such a program and engaging the entire community in service exchange;

''(2) programs with the capacity to connect to similar programs throughout a city or region to augment the available services to older Americans and for members of the community to serve each other;

''(3) programs seeking to establish in an area where needs of older Americans are left unmet and older Americans are unable to consider aging in place without such service exchange in place; and

''(4) programs that integrate participants in or collaborate with service-learning programs, AmeriCorps State and National programs, the VISTA program, the Retired and Senior Volunteer Program, Foster Grandparents program, and the Senior Companion programs, and programs described in section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032).

''(d) INCENTIVE GRANTS.—The incentive grants referred to in subsection (a)(1)(B) are incentive grants to programs receiving assistance under this title, subject to the following:

''(1) Such grants (which may be fixed-amount grants) shall be grants in an amount equal to $300 per volunteer enrolled in the program, except that such amount shall be reduced as necessary to meet the goals of this section.

''(2) Such a grant shall be awarded to a program only if the program—

''(A) exceeds performance measures established under section 179 of the National and Community Service Act of 1990;

''(B) provides non-Federal matching funds in an amount that is not less than 50 percent of the amount received by the program under this title;

''(C) enrolls more than 50 percent of the volunteers in outcome-based service programs with measurable objectives meeting community needs, as determined by the Corporation; and

''(D) enrolls more volunteers from among members of the Baby Boom generation, as defined in section 101 of the National and Community Service Act of 1990, than were enrolled in the program during the previous fiscal year.

''(3) For each such grant, the Corporation shall require the recipient to provide matching funds of 70 cents from non-Federal sources for every $1 provided under the grant.

''(4) Such a grant shall be awarded to a program only if the program submits, at such time and in such manner as the Corporation may reasonably require, an application that contains—

''(A) a demonstration that the program has met the requirements of paragraph (2);

''(B) if applicable, a plan for innovative programs as described in paragraph (6)(B)(ii);

''(C) a sustainability plan that describes how the program will maintain the activities described in paragraph (6) when the grant terminates; and

''(D) other information that the Corporation may require.

''(5) Such grants shall be awarded for a period of 3 years, except that the grant shall be reviewed by the Corporation at the end of the first and second fiscal years and revoked if the Corporation finds that the program has failed to continue to meet the requirements of paragraph (2) for those fiscal years.

''(6) Such grants—

''(A) shall be used to increase the number of volunteers in outcome-based service with measurable objectives meeting community needs as determined by the Corporation; and

''(B) may be used—

''(i) for activities for which the program is authorized to receive assistance under this title; and

''(ii) for innovative programs focused on the Baby Boom generation, as defined in section 101 of the National and Community Service Act of 1990, that have been accepted by the Corporation through the application process in paragraph (4) and are outcome-based programs with measurable objectives meeting community needs as determined by the Corporation.

''(7) The Director shall, in making such grants, give high priority to programs receiving assistance under section 201.''.

Subtitle C—Amendments to Title IV (Administration and Coordination)

SEC. 2301. NONDISPLACEMENT.

Section 404(a) (42 U.S.C. 5044(a)) is amended by striking ''displacement of employed workers'' and inserting ''displacement of employed workers or volunteers (other than participants under the national service laws)''.

SEC. 2302. NOTICE AND HEARING PROCEDURES.

Section 412(a) (42 U.S.C. 5052(a)) is amended—

(1) in paragraph (2)—

(A) by striking ''75'' and inserting ''60''; and

(B) by adding ''and'' at the end;

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as paragraph (3).

SEC. 2303. DEFINITIONS.

Section 421 (42 U.S.C. 5061) is amended—

(1) in paragraph (2), by inserting '', the Commonwealth of the Northern Mariana Islands'' after ''American Samoa'';

(2) in paragraph (13), by striking ''National Senior Volunteer Corps'' and inserting ''National Senior Service Corps''; and

(3) in paragraph (14)—

(A) by striking ''National Senior Volunteer Corps'' and inserting ''National Senior Service Corps''; and

(B) by striking ''parts A, B, C, and E of'';

SEC. 2304. PROTECTION AGAINST IMPROPER USE.

Section 425 (42 U.S.C. 5065) is amended by striking ''National Senior Volunteer Corps'' and inserting ''National Senior Service Corps''.

Subtitle D—Amendments to Title V (Authorization of Appropriations)

SEC. 2401. AUTHORIZATION OF APPROPRIATIONS FOR VISTA AND OTHER PURPOSES.

Section 501 (42 U.S.C. 5081) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking '', excluding section 109'' and all that follows and inserting ''$100,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.'';

(B) by striking paragraphs (2) and (4) and redesignating paragraphs (3) and (5) as paragraphs (2) and (3); and

(C) in paragraph (2) (as redesignated by this section), by striking '', excluding section 125'' and all that follows and inserting ''such sums as may be necessary for each of fiscal years 2010 through 2014.''; and

(2) by striking subsection (e).

SEC. 2402. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SENIOR SERVICE CORPS.

Section 502 (42 U.S.C. 5082) is amended to read as follows:

''SEC. 502. NATIONAL SENIOR SERVICE CORPS.

''(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, $70,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.

''(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $115,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.

''(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $55,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2014.

''(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II such sums as may be necessary for each of fiscal years 2011 through 2014.''.

TITLE III—AMENDMENTS TO OTHER LAWS

SEC. 3101. INSPECTOR GENERAL ACT OF 1978.

Section 8F(a)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''National and Community Service Trust Act of 1993'' and inserting ''National and Community Service Act of 1990''.

TITLE IV—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

SEC. 4101. TABLE OF CONTENTS FOR THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

Section 1(b) of the National and Community Service Act of 1990 (42 U.S.C. 12501 note) is amended to read as follows:

''(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

''Sec. 1. Short title and table of contents.
''Sec. 2. Findings and purpose.
''Sec. 3. Sense of Congress.

''TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

''Subtitle A—General Provisions

''Sec. 101. Definitions.
''Sec. 102. Authority to make State grants.

''Subtitle B—School-Based and Community-Based Service-Learning Programs

''PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY STUDENTS

''Sec. 111. Assistance to States, Territories, and Indian tribes.
''Sec. 112. Allotments.
''Sec. 113. Applications.
''Sec. 114. Consideration of applications.
''Sec. 115. Participation of students and teachers from private schools.
''Sec. 116. Federal, State, and local contributions.
''Sec. 117. Limitation on uses of funds.

''PART II—HIGHER EDUCATION PROVISIONS AND CAMPUSES OF SERVICE
''Sec. 118. Higher education innovative programs for community service.
''Sec. 119. Campuses of Service.
''PART III—INNOVATIVE DEMONSTRATION SERVICE-LEARNING PROGRAMS AND RESEARCH
''Sec. 120. Innovative demonstration service-learning programs and research.
''Subtitle C—National Service Trust Program
''PART I—INVESTMENT IN NATIONAL SERVICE
''Sec. 121. Authority to provide assistance and approved national service positions.
''Sec. 122. National service programs eligible for program assistance.
''Sec. 123. Types of national service positions eligible for approval for national service educational awards.
''Sec. 124. Types of program assistance.
''Sec. 125. [Repealed]
''Sec. 126. Other special assistance.
''PART II—APPLICATION AND APPROVAL PROCESS
''Sec. 129. Provision of assistance and approved national service positions.
''Sec. 129A. Education awards only program.
''Sec. 130. Application for assistance and approved national service positions.
''Sec. 131. National service program assistance requirements.
''Sec. 132. Ineligible service categories.
''Sec. 133. Consideration of applications.
''PART III—NATIONAL SERVICE PARTICIPANTS
''Sec. 137. Description of participants.
''Sec. 138. Selection of national service participants.
''Sec. 139. Terms of service.
''Sec. 140. Living allowances for national service participants.
''Sec. 141. National service educational awards.
''Subtitle D—National Service Trust and Provision of National Service Educational Awards
''Sec. 145. Establishment of the National Service Trust.
''Sec. 146. Individuals eligible to receive a national service educational award from the Trust.
''Sec. 147. Determination of the amount of the national service educational award.
''Sec. 148. Disbursement of national service educational awards.
''Sec. 149. Process of approval of national service positions.
''Subtitle E—National Civilian Community Corps
''Sec. 151. Purpose.
''Sec. 152. Establishment of National Civilian Community Corps program.
''Sec. 153. National service program.
''Sec. 154. Summer national service program.
''Sec. 155. National Civilian Community Corps.
''Sec. 156. Training.
''Sec. 157. Service projects.
''Sec. 158. Authorized benefits for Corps members.
''Sec. 159. Administrative provisions.
''Sec. 160. Status of Corps members and Corps personnel under Federal law.
''Sec. 161. Contract and grant authority.
''Sec. 162. Responsibilities of other departments.
''Sec. 163. Advisory board.
''Sec. 164. Evaluation.
''Sec. 165. [Repealed]
''Sec. 166. Definitions.
''Subtitle F—Administrative Provisions
''Sec. 171. Family and medical leave.
''Sec. 172. Reports.
''Sec. 173. Supplementation.
''Sec. 174. Prohibition on use of funds.
''Sec. 175. Nondiscrimination.
''Sec. 176. Notice, hearing, and grievance procedures.
''Sec. 177. Nonduplication and nondisplacement.
''Sec. 178. State Commissions on National and Community Service.
''Sec. 179. Evaluation.
''Sec. 180. Engagement of participants.
''Sec. 181. Contingent extension.
''Sec. 182. Partnerships with schools.
''Sec. 183. Rights of access, examination, and copying.
''Sec. 184. Drug-free workplace requirements.
''Sec. 185. Sustainability.
''Sec. 186. Grant periods.
''Sec. 187. Generation of volunteers.
''Sec. 188. Limitation on program grant costs.
''Sec. 189. Audits and reports.
''Sec. 190. Criminal history checks.
''Sec. 190A. Report on participant information.
''Subtitle G—Corporation for National and Community Service
''Sec. 191. Corporation for National and Community Service.
''Sec. 192. Board of Directors.
''Sec. 192A. Authorities and duties of the Board of Directors.
''Sec. 193. Chief Executive Officer.
''Sec. 193A. Authorities and duties of the Chief Executive Officer.
''Sec. 194. Officers.
''Sec. 195. Employees, consultants, and other personnel.
''Sec. 196. Administration.
''Sec. 196A. Corporation State offices.
''Subtitle H—Investment for Quality and Innovation
''PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE
''Sec. 198. Additional corporation activities to support national service.
''Sec. 198A. Presidential awards for service.
''Sec. 198B. ServeAmerica Fellowships.
''Sec. 198C. Silver Scholarships and Encore Fellowships.
''PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT
''Sec. 198D. Innovative and model program support.
''PART III—SOCIAL INNOVATION FUND
''Sec. 198E. Social innovation fund.
''PART IV—NATIONAL SERVICE PROGRAMS CLEARINGHOUSE
''Sec. 198F. National service programs clearinghouse.
''Subtitle I—American Conservation and Youth Corps
''Sec. 199. Short title.
''Sec. 199A. General authority.
''Sec. 199B. Limitation on purchase of capital equipment.
''Sec. 199C. State application.
''Sec. 199D. Focus of programs.
''Sec. 199E. Related programs.
''Sec. 199F. Public lands or Indian lands.
''Sec. 199G. Training and education services.
''Sec. 199H. Preference for certain projects.
''Sec. 199I. Age and citizenship criteria for enrollment.
''Sec. 199J. Use of volunteers.
''Sec. 199K. Living allowance.
''Sec. 199L. Joint programs.
''Sec. 199M. Federal and State employee status.
''Subtitle J—Training and Technical Assistance
''Sec. 199N. Training and technical assistance.
''TITLE II—MODIFICATIONS OF EXISTING PROGRAMS
''Subtitle A—Publication
''Sec. 201. Information for students.
''Sec. 202. Exit counseling for borrowers.
''Sec. 203. Department information on deferments and cancellations.
''Sec. 204. Data on deferments and cancellations.
''Subtitle B—Youthbuild Projects
''Sec. 211. Youthbuild projects.
''Subtitle C—Amendments to Student Literacy Corps
''Sec. 221. Amendments to Student Literacy Corps.
''TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS
''Sec. 401. Projects.
''TITLE V—AUTHORIZATION OF APPROPRIATIONS
''Sec. 501. Authorization of appropriations.
''TITLE VI—MISCELLANEOUS PROVISIONS
''Sec. 601. Amtrak waste disposal.
''Sec. 602. Exchange program with countries in transition from totalitarianism to Democracy.''.

SEC. 4102. TABLE OF CONTENTS AMENDMENTS FOR THE DOMESTIC VOLUNTEER SERVICE ACT.

The table of contents in section 1(b) of the Domestic Volunteer Service Act of 1973 is amended as follows:

(1) By inserting after the item relating to section 103 the following new item:

''Sec. 103A. VISTA programs of national significance.''.

(2) By striking the item relating to section 123 and inserting the following new item:

''Sec. 123. Financial assistance.''.

(3) By amending the item relating to title II to read as follows:

''TITLE II—NATIONAL SENIOR SERVICE CORPS''.

(4) By striking the item relating to section 224 and inserting the following new item:

''Sec. 224. Use of locally generated contributions in National Senior Service Corps.''.

(5) By inserting after the item relating to section 227 the following new items:

''Sec. 228. Continuity of service.
''Sec. 229. Acceptance of donations.''.

(6) By striking the item relating to section 502 and inserting the following new item:

''Sec. 502. National Senior Service Corps.''.

TITLE V—EFFECTIVE DATE

SEC. 5101. EFFECTIVE DATE.

Unless specifically provided otherwise, the amendments made by this Act shall take effect on the date of the enactment of this Act.

SEC. 5102. SERVICE ASSIGNMENTS AND AGREEMENTS.

(a) SERVICE ASSIGNMENTS.—Changes pursuant to this Act in the terms and conditions of terms of service and other service assignments under the national service laws (including the amount of the education award) shall apply only to individuals who enroll or otherwise begin service assignments after 90 days after the date of enactment of this Act, except when agreed upon by all interested parties.

(b) AGREEMENTS.—Changes pursuant to this Act in the terms and conditions of grants, contracts, or other agreements under the national service laws shall apply only to such agreements entered into after 90 days after the date of enactment of this Act, except when agreed upon by the parties to such agreements.

(c) EXCEPTION.—Subsections (a) and (b) do not apply to the amendments made by this Act to section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001). Any changes pursuant to those amendments apply as specified in those amendments.

TITLE VI—CONGRESSIONAL COMMISSION ON CIVIC SERVICE

SEC. 6101. SHORT TITLE.

This title may be cited as the ''Congressional Commission on Civic Service Act''.

SEC. 6102. FINDINGS.

Congress finds the following:

(1) The social fabric of the United States is stronger if individuals in the United States are committed to protecting and serving our Nation by utilizing national service and volunteerism to overcome our civic challenges.

(2) A more engaged civic society will strengthen the Nation by bringing together people from

diverse backgrounds and experiences to work on solutions to some of our Nation's major challenges.

(3) Despite declines in civic health in the past 30 years, national service and volunteerism among the Nation's youth are increasing, and existing national service and volunteer programs greatly enhance opportunities for youth to engage in civic activity.

(4) In addition to the benefits received by nonprofit organizations and society as a whole, volunteering and national service provide a variety of personal benefits and satisfaction and can lead to new paths of civic engagement, responsibility, and upward mobility.

SEC. 6103. ESTABLISHMENT.

There is established in the legislative branch a commission to be known as the ''Congressional Commission on Civic Service'' (in this title referred to as the ''Commission'').

SEC. 6104. DUTIES.

(a) GENERAL PURPOSE.—The purpose of the Commission is to gather and analyze information in order to make recommendations to Congress to—

(1) improve the ability of individuals in the United States to serve others and, by doing so, to enhance our Nation and the global community;

(2) train leaders in public service organizations to better utilize individuals committed to national service and volunteerism as they manage human and fiscal resources;

(3) identify and offer solutions to the barriers that make it difficult for some individuals in the United States to volunteer or perform national service; and

(4) build on the foundation of service and volunteer opportunities that are currently available.

(b) SPECIFIC TOPICS.—In carrying out its general purpose under subsection (a), the Commission shall address and analyze the following specific topics:

(1) The level of understanding about the current Federal, State, and local volunteer programs and opportunities for service among individuals in the United States.

(2) The issues that deter volunteerism and national service, particularly among young people, and how the identified issues can be overcome.

(3) Whether there is an appropriate role for Federal, State, and local governments in overcoming the issues that deter volunteerism and national service and, if appropriate, how to expand the relationships and partnerships between different levels of government in promoting volunteerism and national service.

(4) Whether existing databases are effective in matching community needs to would-be volunteers and service providers.

(5) The effect on the Nation, on those who serve, and on the families of those who serve, if all individuals in the United States were expected to perform national service or were required to perform a certain amount of national service.

(6) Whether a workable, fair, and reasonable mandatory service requirement for all able young people could be developed, and how such a requirement could be implemented in a manner that would strengthen the social fabric of the Nation and overcome civic challenges by bringing together people from diverse economic, ethnic, and educational backgrounds.

(7) The need for a public service academy, a 4-year institution that offers a federally funded undergraduate education with a focus on training future public sector leaders.

(8) The means to develop awareness of national service and volunteer opportunities at a young age by creating, expanding, and promoting service options for elementary and secondary school students, through service learning or other means, and by raising awareness of existing incentives.

(9) The effectiveness of establishing a training program on college campuses to recruit and educate college students for national service.

(10) The effect on United States diplomacy and foreign policy interests of expanding service opportunities abroad, such as the Peace Corps, and the degree of need and capacity abroad for an expansion.

(11) The constraints that service providers, nonprofit organizations, and State and local agencies face in utilizing federally funded volunteer programs, and how these constraints can be overcome.

(12) Whether current Federal volunteer programs are suited to address the special skills and needs of senior volunteers, and if not, how these programs can be improved such that the Federal Government can effectively promote service among the ''baby boomer'' generation.

(c) METHODOLOGY.—

(1) PUBLIC HEARINGS.—The Commission shall conduct public hearings in various locations around the United States.

(2) REGULAR AND FREQUENT CONSULTATION.—The Commission shall regularly and frequently consult with an advisory panel of Members of Congress appointed for such purpose by the Speaker of the House of Representatives and the majority leader of the Senate.

SEC. 6105. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—

(1) IN GENERAL.—The Commission shall be composed of 8 members appointed as follows:

(A) 2 members appointed by the Speaker of the House of Representatives.

(B) 2 members appointed by the minority leader of the House of Representatives.

(C) 2 members appointed by the majority leader of the Senate.

(D) 2 members appointed by the minority leader of the Senate.

(2) QUALIFICATIONS.—The members of the Commission shall consist of individuals who are of recognized standing and distinction in the areas of international public service, national public service, service-learning, local service, business, or academia.

(3) DEADLINE FOR APPOINTMENT.—The members of the Commission shall be appointed not later than 90 days after the date of the enactment of this title.

(4) CHAIRPERSON.—The Chairperson of the Commission shall be designated by the Speaker of the House of Representatives at the time of the appointment.

(b) TERMS.—

(1) IN GENERAL.—The members of the Commission shall serve for the life of the Commission.

(2) VACANCIES.—A vacancy in the Commission shall not affect the power of the remaining members to execute the duties of the Commission but any such vacancy shall be filled in the same manner in which the original appointment was made.

(c) COMPENSATION.—

(1) RATES OF PAY; TRAVEL EXPENSES.—Each member shall serve without pay, except that each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(2) PROHIBITION OF COMPENSATION OF FEDERAL EMPLOYEES.—Notwithstanding paragraph (1), any member of the Commission who is a full-time officer or employee of the United States may not receive additional pay, allowances, or benefits because of service on the Commission.

(d) MEETING REQUIREMENTS.—

(1) FREQUENCY.—

(A) QUARTERLY MEETINGS.—The Commission shall meet at least quarterly.

(B) ADDITIONAL MEETINGS.—In addition to quarterly meetings, the Commission shall meet at the call of the Chairperson or a majority of its members.

(2) QUORUM.—5 members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(3) MEETING BY TELEPHONE OR OTHER APPROPRIATE TECHNOLOGY.—Members of the Commission are permitted to meet using telephones or other suitable telecommunications technologies provided that all members of the Commission can fully communicate with all other members simultaneously.

SEC. 6106. DIRECTOR AND STAFF OF COMMISSION; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—

(1) APPOINTMENT.—The Commission shall have a Director who shall be appointed by the Chairperson with the approval of the Commission.

(2) CREDENTIALS.—The Director shall have credentials related to international public service, national public service, service-learning, or local service.

(3) SALARY.—The Director shall be paid at a rate determined by the Chairperson with the approval of the Commission, except that the rate may not exceed the rate of basic pay for GS–15 of the General Schedule.

(b) STAFF.—With the approval of the Chairperson, the Director may appoint and fix the pay of additional qualified personnel as the Director considers appropriate.

(c) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay for GS–15 of the General Schedule.

(d) STAFF OF FEDERAL AGENCIES.—Upon request of the Commission, Chairperson, or Director, the head of any Federal department or agency 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 title.

SEC. 6107. POWERS OF COMMISSION.

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

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) OBTAINING OFFICIAL DATA.—Upon request of the Chairperson, the head of any department or agency shall furnish information to the Commission that the Commission deems necessary to enable it to carry out this title.

(d) PHYSICAL FACILITIES AND EQUIPMENT.—The Architect of the Capitol, in consultation with the appropriate entities in the legislative branch, shall locate and provide suitable facilities and equipment for the operation of the Commission on a nonreimbursable basis.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Architect of the Capitol and the Administrator of General Services shall provide to the Commission on a nonreimbursable basis such administrative support services as the Commission may request in order for the Commission to carry out its responsibilities under this title.

SEC. 6108. REPORTS.

(a) INTERIM REPORT.—The Commission shall submit an interim report on its activities to the appropriate committees of Congress not later than 20 months after the date of the enactment of this title.

(b) FINAL REPORT.—

(1) DEADLINE.—The Commission shall submit a final report on its activities to the appropriate committees of Congress not later than 120 days after the submission of the interim report under subsection (a).

(2) CONTENTS.—The final report shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for proposed legislation.

SEC. 6109. TERMINATION.

The Commission shall terminate not later than 30 days after submitting its final report under section 6108(b)(1).

The CHAIR. No amendment to the committee amendment is in order except those printed in House Report 111–39. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. ANDREWS, AS MODIFIED

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 111–39.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. ANDREWS:

In the table of contents in section 1(b) of the bill, strike the item relating to title VI and the items relating to sections 6101 through 6109.

In section 3 of the National and Community Service Act of 1990 (as proposed to be inserted by section 1101 of the bill), strike ''the programs authorized under subtitle C'' and insert ''approved national service positions''.

In section 101(12) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1102(6) of the bill), strike ''ORGANIZATION'' and insert ''ENTITY'' in the heading.

In section 101(12) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1102(6) of the bill), in the matter preceding subparagraph (A), strike ''organization'' and insert ''entity''.

In section 1102 of the bill, redesignate paragraph (11) as paragraph (12) and insert after paragraph (10) the following:

(11) in paragraph (33) (as so redesignated), strike the last sentence.

In the matter proposed to be added by section 1102(12) of the bill (as redesignated by the preceding amendment), redesignate paragraphs (38) through (40) as paragraphs (41) through (43), respectively, and insert after paragraph (37) the following:

''(38) SCIENTIFICALLY VALID RESEARCH.—The term 'scientifically valid research' includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research.

''(39) PRINCIPLES IF SCIENTIFIC RESEARCH.—The term 'principles of scientific research' means principles of research that—

''(A) applies rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to education activities and programs;

''(B) presents findings and makes claims that are appropriate to and supported by methods that have been employed; and

''(C) includes, as appropriate to the research being conducted—

''(I) use of systematic, empirical methods that draw on observation or experiment;

''(ii) use of data analyses that are adequate to support the general findings;

''(iii) reliance on measurements or observational methods that provide reliable and generalizable findings;

''(iv) strong claims of causal relationships, only with research designs that eliminate plausible competing explanations for observed results, such as, but not limited to, random assignment experiments;

''(v) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

''(vi) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

''(vii) consistency of findings across multiple studies or sites to support the generality of results and conclusions.

''(40) SEVERELY ECONOMICALLY DISTRESSED COMMUNITY.—The term 'severely economically distressed community' means an area that has a mortgage foreclosure rate, home price decline, and unemployment rate greater than the national mortgage foreclosure rate, home price decline, and unemployment rate for the last 12 months for which satisfactory data are available, or a residential area that lacks basic living necessities, such as water and sewer systems, electricity, paved roads, and safe sanitary housing.''.

In section 101(42) (as so redesignated) of the National and Community Service Act of 1990 (as proposed to be amended by section 1102(12) (as so redesignated) of the bill), strike ''means any individual'' and all that follows through ''condition other than dishonorable'' and insert ''has the meaning given the term in section 101 of title 38, United States Code.''

In section 111(a)(2) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''training'' and insert ''professional development''.

In section 111(b)(1)(A) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''training'' and insert ''professional development''.

In section 111(b)(3)(B) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''training'' and insert ''professional development''.

In section 111(b)(5)(B) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''promote a better understanding of''.

In section 111(b)(5)(C) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''promote a better understanding of''.

In section 111(c) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), in the matter preceding paragraph (1), strike ''The'' and insert ''From the amounts appropriated under section 501(a)(4), the''.

In section 111(d)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''training'' and insert ''professional development''.

In section 111(d)(2) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''and'' at the end.

In section 111(d)(3) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike the period at the end and insert ''; and''.

In section 111(d) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), insert at the end the following:

''(4) assisting schools and school districts in developing school policies and practices that support the integration of service-learning into the curriculum.''.

In section 112(c) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''community-based organization'' and insert ''community-based entity'', and strike ''community-based organizations'' and insert ''community-based entities''.

In section 112(d) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''this part'' and insert ''this subtitle''.

In section 112(d) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''$65,000'' and insert ''$75,000''.

In section 113(b)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''service'' and insert ''service-learning''.

In section 113(c)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), in the matter following subparagraph (E), strike ''community-based organization'' and insert ''community-based entity''.

In section 113(c)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), insert ''and'' at the end of subparagraph (C).

In section 113(c)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''and'' at the end of subparagraph (D).

In section 113(c)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike paragraph (E).

In section 115(a)(2) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''training'' and insert ''professional development''.

In section 116(b)(2)(B) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''purposes consistent with title I of such Act (20 U.S.C. 6301 et seq.)'' and insert ''activities authorized under section 1114 or 1115 of title I of such Act (as applicable) subject to the approval of the local educational agency''.

Strike clause (iii) of section 1301(2)(B) of the bill, and insert the following:

(iii) by striking ''by the agency.'' and inserting ''by the agency, and may approve national service positions for a program carried out or otherwise supported by the agency.''

In section 122(a)(1)(A) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), strike clause (ii) and redesignate clauses (iii) through (xiv) as clauses (ii) through (xiii), respectively.

In section 122(a)(2)(A)(vi) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), insert before the semicolon ''including the recruitment of youth to work in health professions in such communities''.

In section 122(a)(3)(A)(xi) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), in the matter preceding subclause (I), strike ''(including youth corps programs'' and all that follows through ''Hawaiian home lands),''.

In section 122(a)(3)(A)(xi)(II) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), strike ''youths who are individuals with disabilities and youths who are economically disadvantaged'' and insert ''and youths who are individuals with disabilities''.

In section 122(a)(3)(A)(xii) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), insert ''in partnership with the National Park Service'' after ''projects''.

In section 122(a) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), insert at the end the following:

''(5) PROGRAM MODELS FOR SERVICE CORPS.—In addition to any activities described in paragraphs (1) through (4), a recipient of a grant under section 121(a) and a Federal agency operating or supporting a national service program under section 121(b) may directly or through grants or subgrants to other entities carry out a national service corps through the following program models:

''(A) a community corps program that meets unmet human, educational, heath, veteran, environmental, or public safety needs and promotes greater community unity through the use of organized teams of participants of varied social and economic backgrounds, skill levels, physical and developmental capabilities, ages, ethnic backgrounds, or genders;

''(B) a service program that—

''(i) recruits individuals with special skills or provides specialized preservice training to enable participants to be placed individually or in teams in positions in which the participants can meet such unmet needs; and

''(ii) if consistent with the purposes of the program, brings participants together for additional training and other activities designed to foster civic responsibility, increase the skills of participants, and improve the quality of the service provided;

''(C) a campus based program that is designed to provide substantial service in a community during the school term and during summer or other vacation periods through the use of—

''(i) students who are attending an institution of higher education, including students participating in a work study program assisted under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.);

''(ii) teams composed of such students; or

''(iii) teams composed of a combination of such students and community residents;

''(D) a professional corps program that recruits and places qualified participants in positions—

''(i) as teachers, nurses and other health care providers, police officers, early childhood development staff, engineers, or other professionals providing service to meet educational, human, environmental, or public safety needs in communities with an inadequate number of such professionals;

''(ii) that may include a salary in excess of the maximum living allowance authorized in subsection (a)(3) of section 140, as provided in subsection (c) of such section; and

''(iii) that are sponsored by public or private employers who agree to pay 100 percent of the salaries and benefits (other than any national service educational award under subtitle D) of the participants; and

''(E) such other program models as approved by the Corporation or a State commission, as appropriate.''.

In section 122(a)(3)(A)(xi) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), in subclause II, strike ''and at least 50 percent of whom are'' and insert ''including''.

In section 122(b)(1)(D) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), in the matter preceding clause (i), insert ''and improve nutrition'' after ''hunger''.

In section 122(b)(1)(D) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), insert ''faith-based entities'' after ''food pantries'' both places it appears in clauses (i) and (ii), respectively.

In section 122(b)(1)(D) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), redesignate clauses (iii) and (iv) as clauses (v) and (vi), respectively, and after clause (ii) insert the following:

''(iii) increasing access to and participation in federally supported nutrition programs;

''(iv) involving the preparation and delivery of nutritious food and the dissemination of nutrition education to critically and chronically ill individuals;''.

In section 122(b)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), redesignate subparagraph (J) as subparagraph (R) and insert after subparagraph (I) the following:

''(J) Providing financial literacy education to economically disadvantaged individuals, including financial literacy education with regard to credit management, financial institutions including banks and credit unions, and utilization of savings plans.

''(K) Assisting in building, improving, and preserving affordable housing and in the construction and rehabilitation of housing units, including energy efficient homes, for economically disadvantaged individuals.

''(L) Assisting individuals in obtaining access to health care for themselves or their children.

''(M) Assisting individuals in obtaining information about Federal, State, local, or private programs or benefits focused on assisting economically disadvantaged individuals, economically disadvantaged children, or low-income families.

''(N) Facilitating enrollment in and completion of job training for economically disadvantaged individuals.

''(O) Assisting economically disadvantaged individuals in obtaining access to job placement assistance.

''(P) Promoting community-based efforts to reduce crime and recruiting public safety officers into service opportunities to work with disadvantaged youth.

''(Q) A musician and artist corps program that trains and deploys skilled musicians and artists to promote greater community unity through the use of music and arts education and engagement through work in low income communities, education, healthcare and therapeutic settings, and other work in the public domain with citizens of all ages.''.

In section 126(a)(3)(B) of the National and Community Service Act of 1990 (as proposed to be amended by section 1305 of the bill), strike ''$200,000'' and insert ''$250,000'', and insert before the period ''in excess of $100,000''.

In section 126(a)(3)(C) of the National and Community Service Act of 1990 (as proposed to be amended by section 1305 of the bill), strike ''$200,000'' in the heading and insert ''$250,000'', and insert before the period ''in excess of $250,000''.

In section 126(a)(3)(C) of the National and Community Service Act of 1990 (as proposed to be amended by section 1305 of the bill), strike ''$200,000'' and insert ''$250,000'', and insert before the period ''in excess of $250,000''.

Strike subparagraph (D) of section 126(a)(3) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1305(1)(B) of the bill), and insert the following:

''(4) RESERVATION OF FUNDS.—From the amounts appropriated to carry out this subsection each fiscal year, the corporation shall ensure that it reserves funds for assistance provided under this subsection at an aggregate amount equal to that of at least 150 percent allocated in fiscal year 2004 for the first full fiscal year after the date of enactment of the GIVE Act. Each subsequent year the corporation shall increase the amount reserved proportionately including minimum and maximum amounts described in paragraph (1) to the amount of program funding allocated in subtitle C.''.

In section 129(b) of the National and Community Service Act of 1990 (as proposed to be amended by section 1306 of the bill), in the matter preceding paragraph (1), strike '', including nonprofit organizations applying on behalf of a tribe or tribes'' and strike ''In the case of a'' and all that follows through ''its application—''.

In section 129(b) of the National and Community Service Act of 1990 (as proposed to be amended by section 1306 of the bill), strike paragraphs (1) and (2).

In section 129(f)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1306 of the bill), strike ''organizations'' and insert ''entities''.

In section 1308 of the bill, strike paragraph (7) and insert the following:

(7) by amending subsection (h) (as so redesignated) to read as follows:

''(h) LIMITATION ON SAME PROJECT RECEIVING MULTIPLE GRANTS.—Unless specifically authorized by law, the Corporation may not provide more than 1 grant under the national service laws to support the same project.''.

In section 133(c)(6)(F) of the National and Community Service Act of 1990 (as proposed to be amended by section 1310(1) of the bill), insert ''or home price decline'' after each place ''mortgage foreclosure rate'' appears.

In section 1303 of the bill, amend paragraph (2) to read as follows:

(2) in paragraph (5),

(A) by inserting ''National'' before ''Civilian Community Corps''; and

(B) by inserting before the period ''the Summer of Service program under section 120(c)(8), the ServeAmerica Fellowship under 198B or the Silver Scholarship under section 198C(a)''.

In section 129(j) of the National and Community Service Act of 1990 (as proposed to be amended by section 1306 of the bill), strike ''section 126'' and insert ''section 126(b) and (c)''.

In section 129A(c) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1307 of the bill), strike ''2008'' and insert ''2009''.

In section 1310 of the bill, amend paragraph (3) to read as follows:

(3) in subsection (d), by adding at the end the following:

''(5) DIVERSITY IN PROGRAM SIZE.—The Corporation shall ensure that recipients of assistance provided under section 121 are diverse in terms of program size, as reflected in the number of participants.''.

In paragraph (1) of the matter proposed to be inserted by section 1402(3) of the bill insert '', including in the Summer of Service program under section 120(c)(8), the ServeAmerica program under section 198B, or the Silver Scholarship program under section 198E'' after ''position''.

In section 149(a)(1) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), in the matter preceding subparagraph (A), strike ''subtitle C and D'' and insert ''subtitles C, D, and H''.

In section 149(a)(4)(A) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''2009'' and insert ''2010''.

In section 149(b)(1)(A) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''C and D'' and insert ''C, D, and H''.

In section 149(b)(1)(B)(i) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''2009'' and insert ''2010'' each place such term appears.

In section 149(b)(1)(B)(i) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''D, or E'' and insert ''D, E, or H''.

In section 149(b)(1)(B)(i) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''or'' before ''summer'' and insert '', Silver Scholarship under section 198C, or ServeAmerica Fellowship under section 198B'' after ''section 120(c)(8),''.

In section 149(b)(1)(B)(ii) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''2009'' and insert ''2010''.

In section 149(b)(1)(B)(ii) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''or E'' and insert ''E, or H''.

In section 149(b)(1)(B)(ii) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''or'' before ''summer'' and insert '', Silver Scholarship under section 198C, or ServeAmerica Fellowship under section 198B'' after ''section 120(c)(8),''.

In section 1503(4) of the bill, strike ''subsection (e)'' and insert ''subsection (d)''.

In section 155(b)(4) of the National and Community Service Act of 1990 (as proposed to be amended by section 1505 of the bill), in the matter preceding subparagraph (A), strike ''from Corps members''.

In section 155(b)(4)(C) of the National and Community Service Act of 1990 (as proposed to be amended by section 1505 of the bill), strike ''limitation on the amount'' and all that follows through ''established under'' and insert ''Director may establish a separate living allowance amount consistent with the limitation in''.

In section 1503(3)(B) of the bill, in the matter proposed to be amended by such section, strike ''2011'' and insert ''2012''.

In section 178(e)(1)(G) of the National and Community Service Act of 1990 (as proposed to be amended by section 1605(3) of the bill), strike ''and'' at the end.

In section 178(e)(1)(H) of the National and Community Service Act of 1990 (as proposed to be amended by section 1605(3) of the bill), strike the period at the end and insert ''; and''.

In section 1605(3) of the bill, strike the close quotation mark and following semicolon after the matter proposed to be inserted by such section and at the end of such section insert the following:

''(I) ensures outreach to and coordination with municipalities and county governments, including large cities.'';

In section 178(g)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1605(5) of the bill), strike ''B or''.

In subsection (m) of section 179 of the National and Community Service Act of 1990 (as proposed to be added by section 1606 of the bill), strike paragraph (4) and redesignate paragraphs (5) and (6) as paragraphs (4) and (5), respectively.

Insert after section 189 of the National and Community Service Act of 1990 (as proposed to be added by section 1610 of the bill) the following:

''SEC. 189A. RESTRICTIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

''(a) GENERAL PROHIBITION.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, specific instructional content, academic achievement standards, assessments, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

''(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—No funds provided to the Chief Executive Officer under this Act may be used by the Corporation to endorse, approve, or sanction any curriculum designed to be used in an elementary school or secondary school.

''(c) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION STANDARDS.—No State shall be required to have academic content or student academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.''.

In paragraph (12)(G) of section 193A of the National and Community Service Act of 1990 as proposed to be added by section 1704 of the bill, insert ''cultural institutions,'' after ''disabilities,''.

In section 1704(1)(D) of the bill, strike paragraph (21) of the matter proposed to be added by such section and redesignate subparagraphs (22) through (24) as subparagraphs (21) through (23), respectively.

In the matter proposed to be inserted by section 1704(3)(B) of the bill, redesignate paragraphs (4) through (6) as paragraphs (5) through (7) and insert after paragraph (3) the following:

''(4) CONSOLIDATED APPLICATION.—To promote efficiency and eliminate duplicative requirements, the Corporation shall consolidate or modify application procedures and reporting requirements for programs and activities funded under the national service laws.''.

In section 1705 of the bill, add at the end the following: ''In carrying out this section and before executing any delegation of authority, the Chief Executive Officer shall seek input from and consult with Corporation employees, State commissions on national and community service, State educational agencies, and other interested stakeholders.''

In section 198C(a) of the National and Community Service Act of 1990 (as proposed to be added by section 1805 of the bill), strike ''community-based organization'' and insert ''community-based entity'' each place such term appears.

In section 194(c)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1706 of the bill), strike ''subject to the provisions of title 5, United States Code'' and all that follows through ''pay rates'' and insert ''pursuant to sections 195(a) and 195(b) of this Act''.

In section 198B(d)(1)(A) of the National and Community Service Act of 1990 (as proposed to be added by section 1803 of the bill), strike ''or an institution of higher education that is not a Campus of Service (as described in section 119)''.

In section 198C(a)(6) of the National and Community Service Act of 1990 (as proposed to be added by section 1803 of the bill), strike ''fixed-amount''.

In section 198D(a) of the National and Community Service Act of 1990 (as proposed to be added by section 1804 of the bill), amend paragraph (5) to read as follows:

''(5) PROGRAMS THAT SUPPORT MENTORING.—Programs to support mentoring partnerships, including statewide and local partnerships that strengthen direct-service youth mentoring programs by increasing State resources dedicated to mentoring, assisting direct-service mentoring programs through subgrants, promoting quality standards for mentoring programs, expanding mentoring opportunities tailored to the needs and circumstances of youth, and increasing the number of at-risk youth in the State receiving mentoring from screened and trained adult mentors, as well as programs to support the creation of statewide mentoring partnerships and programs of national scope through collaborative efforts between entities such as local mentoring partnerships, units of State or local government, or direct service mentoring programs.''.

In section 198D(a) of the National and Community Service Act of 1990 (as proposed to be added by section 1804 of the bill), strike paragraph (6) and redesignate paragraph (7) as paragraph (6).

In section 198E of the National and Community Service Act of 1990 (as proposed to be added by section 1805 of the bill), strike subsection (c) and redesignate subsections (d) through (l) as subsections (c) through (k), respectively.

In section 501(a)(2)(B) of the National and Community Service Act of 1990 (as proposed to be amended by section 1841 of the bill), strike ''subparagraph (C)'' and insert ''subparagraph (A)'', and insert before the period at the end the following: '', and disasters of similar magnitude''.

In section 501(a)(3) of the National and Community Service Act of 1990 (as proposed to be amended by section 1841 of the bill), strike ''$35,000,000'' and insert ''$30,000,000''.

In section 2103(3) of the bill, insert ''and'' at the end of subparagraph (A), strike ''and'' at the end of subparagraph (B), and strike subparagraph (C).

In section 201(e)(1) of the Domestic Volunteer Service Act of 1973 (as proposed to be amended by section 2203 of the bill), strike ''2013'' and insert ''2014''.

In section 225(a)(4) of the Domestic Volunteers Service Act of 1973 (as propose to be amended by section 2208 of the bill), strike ''grants'' the first place it appears and insert ''funds'', and strike ''grants'' the last place it appears and insert ''funds available''.

In the table of contents of the National and Community Service Act of 1990 (as proposed to be amended by section 4101 of the bill), after the item relating to section 189, insert the following:

''Sec. 189A. Restrictions on Federal Government and use of Federal funds.''.

Strike title VI of the bill.

The CHAIR. Pursuant to House Resolution 250, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 15 minutes.

Mr. ANDREWS. Mr. Chair, I ask unanimous consent to modify the manager's amendment by replacing it with the modification at the desk.

The CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 1 offered by Mr. ANDREWS:

In the table of contents in section 1(b) of the bill, strike the item relating to title VI and the items relating to sections 6101 through 6109.

In section 3 of the National and Community Service Act of 1990 (as proposed to be inserted by section 1101 of the bill), strike ''the programs authorized under subtitle C'' and insert ''approved national service positions''.

In section 101(12) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1102(6) of the bill), strike ''ORGANIZATION'' and insert ''ENTITY'' in the heading.

In section 101(12) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1102(6) of the bill), in the matter preceding subparagraph (A), strike ''organization'' and insert ''entity''.

In section 1102 of the bill, redesignate paragraph (11) as paragraph (12) and insert after paragraph (10) the following:

(11) in paragraph (33) (as so redesignated), strike the last sentence.

In the matter proposed to be added by section 1102(12) of the bill (as redesignated by the preceding amendment), redesignate paragraphs (38) through (40) as paragraphs (41) through (43), respectively, and insert after paragraph (37) the following:

''(38) SCIENTIFICALLY VALID RESEARCH.—The term 'scientifically valid research' includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research.

''(39) PRINCIPLES IF SCIENTIFIC RESEARCH.—The term 'principles of scientific research' means principles of research that—

''(A) applies rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to education activities and programs;

''(B) presents findings and makes claims that are appropriate to and supported by methods that have been employed; and

''(C) includes, as appropriate to the research being conducted—

''(i) use of systematic, empirical methods that draw on observation or experiment;

''(ii) use of data analyses that are adequate to support the general findings;

''(iii) reliance on measurements or observational methods that provide reliable and generalizable findings;

''(iv) strong claims of causal relationships, only with research designs that eliminate plausible competing explanations for observed results, such as, but not limited to, random assignment experiments;

''(v) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

''(vi) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

''(vii) consistency of findings across multiple studies or sites to support the generality of results and conclusions.

''(40) SEVERELY ECONOMICALLY DISTRESSED COMMUNITY.—The term 'severely economically distressed community' means an area that has a mortgage foreclosure rate, home price decline, and unemployment rate greater than the national mortgage foreclosure rate, home price decline, and unemployment rate for the last 12 months for which satisfactory data are available, or a residential area that lacks basic living necessities, such as water and sewer systems, electricity, paved roads, and safe sanitary housing.''.

In section 101(43) (as so redesignated) of the National and Community Service Act of 1990 (as proposed to be amended by section 1102(12) (as so redesignated) of the bill), strike ''means any individual'' and all that follows through ''condition other than dishonorable'' and insert ''has the meaning given the term in section 101 of title 38, United States Code.''

In section 111(a)(2) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''training'' and insert ''professional development''.

In section 111(b)(1)(A) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''training'' and insert ''professional development''.

In section 111(b)(3)(B) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''training'' and insert ''professional development''.

In section 111(b)(5)(B) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''promote a better understanding of''.

In section 111(b)(5)(C) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''promote a better understanding of''.

In section 111(c) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), in the matter preceding paragraph (1), strike ''The'' and insert ''From the amounts appropriated under section 501(a)(4), the''.

In section 111(d)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''training'' and insert ''professional development''.

In section 111(d)(2) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''and'' at the end.

In section 111(d)(3) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike the period at the end and insert ''; and''.

In section 111(d) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), insert at the end the following:

''(4) assisting schools and school districts in developing school policies and practices that support the integration of service-learning into the curriculum.''.

In section 112(c) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''community-based organization'' and insert ''community-based entity'', and strike ''community-based organizations'' and insert ''community-based entities''.

In section 112(d) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''this part'' and insert ''this subtitle''.

In section 112(d) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''$65,000'' and insert ''$75,000''.

In section 113(b)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''service'' and insert ''service-learning''.

In section 113(c)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), in the matter following subparagraph (E), strike ''community-based organization'' and insert ''community-based entity''.

In section 113(c)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), insert ''and'' at the end of subparagraph (C).

In section 113(c)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''and'' at the end of subparagraph (D).

In section 113(c)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike paragraph (E).

In section 115(a)(2) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''training'' and insert ''professional development''.

In section 116(b)(2)(B) of the National and Community Service Act of 1990 (as proposed to be amended by section 1201 of the bill), strike ''purposes consistent with title I of such Act (20 U.S.C. 6301 et seq.)'' and insert ''activities authorized under section 1114 or 1115 of title I of such Act (as applicable) subject to the approval of the local educational agency''.

Strike clause (iii) of section 1301(2)(B) of the bill, and insert the following:

(iii) by striking ''by the agency.'' and inserting ''by the agency, and may approve national service positions for a program carried out or otherwise supported by the agency.''

In section 122(a)(1)(A) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), strike clause (ii) and redesignate clauses (iii) through (xiv) as clauses (ii) through (xiii), respectively.

In section 122(a)(2)(A)(vi) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), insert before the semicolon ''including the recruitment of youth to work in health professions in such communities''.

In section 122(a)(3)(A)(xi) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), in the matter preceding subclause (I), strike ''(including youth corps programs'' and all that follows through ''Hawaiian home lands),''.

In section 122(a)(3)(A)(xi)(II) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), strike ''youths who are individuals with disabilities and youths who are economically disadvantaged'' and insert ''and youths who are individuals with disabilities''.

In section 122(a)(3)(A)(xii) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), insert ''in partnership with the National Park Service'' after ''projects''.

In section 122(a) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), insert at the end the following:

''(5) PROGRAM MODELS FOR SERVICE CORPS.—In addition to any activities described in paragraphs (1) through (4), a recipient of a grant under section 121(a) and a Federal agency operating or supporting a national service program under section 121(b) may directly or through grants or subgrants to other entities carry out a national service corps through the following program models:

''(A) a community corps program that meets unmet human, educational, heath, veteran, environmental, or public safety needs and promotes greater community unity through the use of organized teams of participants of varied social and economic backgrounds, skill levels, physical and developmental capabilities, ages, ethnic backgrounds, or genders;

''(B) a service program that—

''(i) recruits individuals with special skills or provides specialized preservice training to enable participants to be placed individually or in teams in positions in which the participants can meet such unmet needs; and

''(ii) if consistent with the purposes of the program, brings participants together for additional training and other activities designed to foster civic responsibility, increase the skills of participants, and improve the quality of the service provided;

''(C) a campus based program that is designed to provide substantial service in a community during the school term and during summer or other vacation periods through the use of—

''(i) students who are attending an institution of higher education, including students participating in a work study program assisted under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.);

''(ii) teams composed of such students; or

''(iii) teams composed of a combination of such students and community residents;

''(D) a professional corps program that recruits and places qualified participants in positions—

''(i) as teachers, nurses and other health care providers, police officers, early childhood development staff, engineers, or other professionals providing service to meet educational, human, environmental, or public safety needs in communities with an inadequate number of such professionals;

''(ii) that may include a salary in excess of the maximum living allowance authorized in subsection (a)(3) of section 140, as provided in subsection (c) of such section; and

''(iii) that are sponsored by public or private employers who agree to pay 100 percent of the salaries and benefits (other than any national service educational award under subtitle D) of the participants; and

''(E) such other program models as approved by the Corporation or a State commission, as appropriate.''.

In section 122(a)(3)(A)(xi) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), in subclause II, strike ''and at least 50 percent of whom are'' and insert ''including''.

In section 122(b)(1)(D) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), in the matter preceding clause (i), insert ''and improve nutrition'' after ''hunger''.

In section 122(b)(1)(D) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), insert ''faith-based entities'' after ''food pantries'' both places it appears in clauses (i) and (ii), respectively.

In section 122(b)(1)(D) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), redesignate clauses (iii) and (iv) as clauses (v) and (vi), respectively, and after clause (ii) insert the following:

''(iii) increasing access to and participation in federally supported nutrition programs;

''(iv) involving the preparation and delivery of nutritious food and the dissemination of nutrition education to critically and chronically ill individuals;''.

In section 122(b)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1302 of the bill), redesignate subparagraph (J) as subparagraph (R) and insert after subparagraph (I) the following:

''(J) Providing financial literacy education to economically disadvantaged individuals, including financial literacy education with regard to credit management, financial institutions including banks and credit unions, and utilization of savings plans.

''(K) Assisting in building, improving, and preserving affordable housing and in the construction and rehabilitation of housing units, including energy efficient homes, for economically disadvantaged individuals.

''(L) Assisting individuals in obtaining access to health care for themselves or their children.

''(M) Assisting individuals in obtaining information about Federal, State, local, or private programs or benefits focused on assisting economically disadvantaged individuals, economically disadvantaged children, or low-income families.

''(N) Facilitating enrollment in and completion of job training for economically disadvantaged individuals.

''(O) Assisting economically disadvantaged individuals in obtaining access to job placement assistance.

''(P) Promoting community-based efforts to reduce crime and recruiting public safety officers into service opportunities to work with disadvantaged youth.

''(Q) A musician and artist corps program that trains and deploys skilled musicians and artists to promote greater community unity through the use of music and arts education and engagement through work in low income communities, education, healthcare and therapeutic settings, and other work in the public domain with citizens of all ages.''.

In section 126(a)(3)(B) of the National and Community Service Act of 1990 (as proposed to be amended by section 1305 of the bill), strike ''$200,000'' and insert ''$250,000'', and insert before the period ''in excess of $100,000''.

In section 126(a)(3)(C) of the National and Community Service Act of 1990 (as proposed to be amended by section 1305 of the bill), strike ''$200,000'' in the heading and insert ''$250,000'', and insert before the period ''in excess of $250,000''.

In section 126(a)(3)(C) of the National and Community Service Act of 1990 (as proposed to be amended by section 1305 of the bill), strike ''$200,000'' and insert ''$250,000'', and insert before the period ''in excess of $250,000''.

Strike subparagraph (D) of section 126(a)(3) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1305(1)(B) of the bill), and insert the following:

''(4) RESERVATION OF FUNDS.—From the amounts appropriated to carry out this subsection each fiscal year, the corporation shall ensure that it reserves funds for assistance provided under this subsection at an aggregate amount equal to that of at least 150 percent allocated in fiscal year 2004 for the first full fiscal year after the date of enactment of the GIVE Act. Each subsequent year the corporation shall increase the amount reserved proportionately including minimum and maximum amounts described in paragraph (1) to the amount of program funding allocated in subtitle C.''.

In section 129(b) of the National and Community Service Act of 1990 (as proposed to be amended by section 1306 of the bill), in the matter preceding paragraph (1), strike '', including nonprofit organizations applying on behalf of a tribe or tribes'' and strike ''In the case of a'' and all that follows through ''its application—''.

In section 129(b) of the National and Community Service Act of 1990 (as proposed to be amended by section 1306 of the bill), strike paragraphs (1) and (2).

In section 129(f)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1306 of the bill), strike ''organizations'' and insert ''entities''.

In section 1308 of the bill, strike paragraph (7) and insert the following:

(7) by amending subsection (h) (as so redesignated) to read as follows:

''(h) LIMITATION ON SAME PROJECT RECEIVING MULTIPLE GRANTS.—Unless specifically authorized by law, the Corporation may not provide more than 1 grant under the national service laws to support the same project.''.

In section 133(c)(6)(F) of the National and Community Service Act of 1990 (as proposed to be amended by section 1310(1) of the bill), insert ''or home price decline'' after each place ''mortgage foreclosure rate'' appears.

In section 1303 of the bill, amend paragraph (2) to read as follows:

(2) in paragraph (5),

(A) by inserting ''National'' before ''Civilian Community Corps''; and

(B) by inserting before the period ''the Summer of Service program under section 120(c)(8), the ServeAmerica Fellowship under 198B or the Silver Scholarship under section 198C(a)''.

In section 129(j) of the National and Community Service Act of 1990 (as proposed to be amended by section 1306 of the bill), strike ''section 126'' and insert ''section 126(b) and (c)''.

In section 129A(c) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1307 of the bill), strike ''2008'' and insert ''2009''.

In section 1310 of the bill, amend paragraph (3) to read as follows:

(3) in subsection (d), by adding at the end the following:

''(5) DIVERSITY IN PROGRAM SIZE.—The Corporation shall ensure that recipients of assistance provided under section 121 are diverse in terms of program size, as reflected in the number of participants.''.

In paragraph (1) of the matter proposed to be inserted by section 1402(1) of the bill insert '', including in the Summer of Service program under section 120(c)(8), the ServeAmerica program under section 198B, or the Silver Scholarship program under section 198E'' after ''position''.

In section 149(a)(1) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), in the matter preceding subparagraph (A), strike ''subtitle C and D'' and insert ''subtitles C, D, and H''.

In section 149(a)(4)(A) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''2009'' and insert ''2010''.

In section 149(b)(1)(A) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''C and D'' and insert ''C, D, and H''.

In section 149(b)(1)(B)(i) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''2009'' and insert ''2010'' each place such term appears.

In section 149(b)(1)(B)(i) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''D, or E'' and insert ''D, E, or H''.

In section 149(b)(1)(B)(i) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''or'' before ''summer'' and insert '', Silver Scholarship under section 198C, or ServeAmerica Fellowship under section 198B'' after ''section 120(c)(8),''.

In section 149(b)(1)(B)(ii) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''2009'' and insert ''2010''.

In section 149(b)(1)(B)(ii) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''or E'' and insert ''E, or H''.

In section 149(b)(1)(B)(ii) of the National and Community Service Act of 1990 (as proposed to be added by section 1405 of the bill), strike ''or'' before ''summer'' and insert '', Silver Scholarship under section 198C, or ServeAmerica Fellowship under section 198B'' after ''section 111(a)(5),''.

In section 1503(4) of the bill, strike ''subsection (e)'' and insert ''subsection (d)''.

In section 155(b)(4) of the National and Community Service Act of 1990 (as proposed to be amended by section 1505 of the bill), in the matter preceding subparagraph (A), strike ''from Corps members''.

In section 155(b)(4)(C) of the National and Community Service Act of 1990 (as proposed to be amended by section 1505 of the bill), strike ''limitation on the amount'' and all that follows through ''established under'' and insert ''Director may establish a separate living allowance amount consistent with the limitation in''.

In section 1503(3)(B) of the bill, in the matter proposed to be amended by such section, strike ''2011'' and insert ''2012''.

In section 178(e)(1)(G) of the National and Community Service Act of 1990 (as proposed to be amended by section 1605(3) of the bill), strike ''and'' at the end.

In section 178(e)(1)(H) of the National and Community Service Act of 1990 (as proposed to be amended by section 1605(3) of the bill),

strike the period at the end and insert ''; and''.

In section 1605(3) of the bill, strike the close quotation mark and following semicolon after the matter proposed to be inserted by such section and at the end of such section insert the following:

''(I) ensures outreach to and coordination with municipalities and county governments, including large cities.'';

In section 178(g)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1605(5) of the bill), strike ''B or''.

In subsection (m) of section 179 of the National and Community Service Act of 1990 (as proposed to be added by section 1606 of the bill), strike paragraph (4) and redesignate paragraphs (5) and (6) as paragraphs (4) and (5), respectively.

Insert after section 189 of the National and Community Service Act of 1990 (as proposed to be added by section 1610 of the bill) the following:

''SEC. 189A. RESTRICTIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

''(a) GENERAL PROHIBITION.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, specific instructional content, academic achievement standards, assessments, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

''(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—No funds provided to the Chief Executive Officer under this Act may be used by the Corporation to endorse, approve, or sanction any curriculum designed to be used in an elementary school or secondary school.

''(c) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION STANDARDS.—No State shall be required to have academic content or student academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.''.

In paragraph (12)(G) of section 193A of the National and Community Service Act of 1990 as proposed to be added by section 1704 of the bill, insert ''cultural institutions,'' after ''disabilities,''.

In section 1704(1)(D) of the bill, strike paragraph (21) of the matter proposed to be added by such section and redesignate subparagraphs (22) through (24) as subparagraphs (21) through (23), respectively.

In the matter proposed to be inserted by section 1704(3)(B) of the bill, redesignate paragraphs (4) through (6) as paragraphs (5) through (7) and insert after paragraph (3) the following:

''(4) CONSOLIDATED APPLICATION.—To promote efficiency and eliminate duplicative requirements, the Corporation shall consolidate or modify application procedures and reporting requirements for programs and activities funded under the national service laws.''.

In section 1705 of the bill, add at the end the following: ''In carrying out this section and before executing any delegation of authority, the Chief Executive Officer shall seek input from and consult with Corporation employees, State commissions on national and community service, State educational agencies, and other interested stakeholders.''

In section 198C(a) of the National and Community Service Act of 1990 (as proposed to be added by section 1803 of the bill), strike ''community-based organization'' and insert ''community-based entity'' each place such term appears.

In section 194(c)(1) of the National and Community Service Act of 1990 (as proposed to be amended by section 1706 of the bill), strike ''subject to the provisions of title 5, United States Code'' and all that follows through ''pay rates'' and insert ''pursuant to sections 195(a) and 195(b) of this Act''.

In section 198B(d)(1)(A) of the National and Community Service Act of 1990 (as proposed to be added by section 1803 of the bill), strike ''or an institution of higher education that is not a Campus of Service (as described in section 119)''.

In section 198C(a)(6) of the National and Community Service Act of 1990 (as proposed to be added by section 1803 of the bill), strike ''fixed-amount''.

In section 198D(a) of the National and Community Service Act of 1990 (as proposed to be added by section 1804 of the bill), amend paragraph (5) to read as follows:

''(5) PROGRAMS THAT SUPPORT MENTORING.—Programs to support mentoring partnerships, including statewide and local partnerships that strengthen direct-service youth mentoring programs by increasing State resources dedicated to mentoring, assisting direct-service mentoring programs through subgrants, promoting quality standards for mentoring programs, expanding mentoring opportunities tailored to the needs and circumstances of youth, and increasing the number of at-risk youth in the State receiving mentoring from screened and trained adult mentors, as well as programs to support the creation of statewide mentoring partnerships and programs of national scope through collaborative efforts between entities such as local mentoring partnerships, units of State or local government, or direct service mentoring programs.''.

In section 198D(a) of the National and Community Service Act of 1990 (as proposed to be added by section 1804 of the bill), strike paragraph (6) and redesignate paragraph (7) as paragraph (6).

In section 198E of the National and Community Service Act of 1990 (as proposed to be added by section 1805 of the bill), strike subsection (c) and redesignate subsections (d) through (l) as subsections (c) through (k), respectively.

In section 501(a)(2)(B) of the National and Community Service Act of 1990 (as proposed to be amended by section 1841 of the bill), strike ''subparagraph (C)'' and insert ''subparagraph (A)'', and insert before the period at the end the following: '', and disasters of similar magnitude''.

In section 501(a)(3) of the National and Community Service Act of 1990 (as proposed to be amended by section 1841 of the bill), strike ''$35,000,000'' and insert ''$30,000,000''.

In section 2103(3) of the bill, insert ''and'' at the end of subparagraph (A), strike ''and'' at the end of subparagraph (B), and strike subparagraph (C).

In section 201(e)(1) of the Domestic Volunteer Service Act of 1973 (as proposed to be amended by section 2203 of the bill), strike ''2013'' and insert ''2014''.

In section 225(a)(4) of the Domestic Volunteers Service Act of 1973 (as propose to be amended by section 2208 of the bill), strike ''grants'' the first place it appears and insert ''funds'', and strike ''grants'' the last place it appears and insert ''funds available''.

In the table of contents of the of the National and Community Service Act of 1990 (as proposed to be amended by section 4101 of the bill), after the item relating to section 189, insert the following:

''Sec. 189A. Restrictions on Federal Government and use of Federal funds.''.

Strike title VI of the bill.

Mr. ANDREWS (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading of the modification.

The CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIR. Without objection, the amendment is modified.

There was no objection.

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

Mr. Chairman, this bill has moved to the floor under an open spirit of bipartisan cooperation. The Committee on Education and Labor had a markup very much in that spirit. Members' views have been solicited and received from throughout the House, and this manager's amendment is very much in that same spirit. I want to briefly review the substance of the manager's amendment so that the Members may understand it.

The amendment clarifies that the goal of reaching a quarter of a million volunteers is throughout all national service programs and not simply AmeriCorps. It promotes the use of interagency agreements between the Corporation For National and Community Service and other Federal agencies. Many of these agencies have innovative service projects they carry out through nonprofits, and this manager's amendment will allow these participants to earn education benefits.

The amendment adds a new definition of ''severely economically distressed community,'' and allows the corporation to consider whether projects in the bill respond to the needs of economically distressed communities.

The amendment includes language that will allow participants in the Opportunity Corps to conduct activities that would increase access to child nutrition programs.

The amendment also ensures that programs and models currently authorized could be incorporated into the new corps created in the bill.

The amendment is needed to make further technical clarifications in the bill, and we would ask for our colleagues to support the bill.

I reserve the balance of my time.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 15 minutes.

There was no objection.

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

First, I would like to recognize Chairman MILLER and the staff for working to include a number of important changes in this manager's amendment. While there are many technical changes included, there are a number of important changes, including protections against double dipping and Federal control of curriculum, and provisions designed to streamline the application process for grants under the national service programs.

This amendment includes language that would clarify current law to ensure that the corporation is only able

to provide one grant to support the same project. This protection ensures that Federal funds are used wisely and that the same project is not funded through multiple funding streams.

The manager's amendment also includes important language that specifically prohibits an employee of the Federal Government from mandating, directing or controlling a school's curriculum or instructional program. Under the amendment, States would also not be required to have academic content or student academic achievement standards approved or certified by the Federal Government in order to receive a national service grant.

Although we agree there is a role for the Federal Government to play in supporting State and local service learning programs, I believe that the decision on what type of instructional practices or curriculum is used in the classroom should very importantly be made by teachers and principals in the Nation's elementary and secondary schools, not here in Washington. This is an important change that will ensure that the corporation's activities conform to the highest standards of quality, integrity and accuracy, and are objective, neutral, nonideological, and free of partisan political influence.

Finally, the manager's amendment includes a provision that requires the corporation to promote efficiency by consolidating application procedures and reporting requirements for programs funded under the national service laws. Small organizations may currently be unwilling to participate in these programs because the application procedures and reporting requirements are too burdensome on them. This change will help promote diversity among the size of the organizations participating in this program and applying for grants.

Again, I want to thank the majority and urge a ''yes'' vote in favor of this amendment.

I yield back the balance of my time.

Mr. ANDREWS. Mr. Chairman, before I yield back, I would like to thank the gentleman from Pennsylvania for his very diligent work on this bill and this amendment, and for his spirit of bipartisanship. It is very much appreciated.

I am pleased to yield 3 minutes to the gentleman from Texas (Mr. HINOJOSA), the chairman of the Subcommittee on Higher Education.

Mr. HINOJOSA. Mr. Chairman, I rise in strong support of the manager's amendment and the underlying bill, the GIVE Act, H.R. 1388. This legislation reauthorizes and strengthens our national service programs. I would like to thank my good friend, CAROLYN MCCARTHY, chairwoman of the Healthy Families and Community Subcommittee, as well as the gentleman from Pennsylvania (Mr. PLATTS), Chairman MILLER and Ranking Member MCKEON for their bipartisan work on this fine legislation.

The spirit of service runs strong in our Nation. Many Americans—young and old, rich and poor—look for ways to give back to their communities and to the Nation. During difficult times such as those we are facing today, we need to enable more people to answer the call to serve.

I am proud to have served on our Knapp Hospital board in Weslaco for nearly 10 years. Another great board where I served from 1984 to 1994 was the Boys and Girls Club board of directors. During those 10 years, I saw the need for helping young children get involved after school and on weekends, and saw how the programs that we developed on education and sports helped keep them out of trouble and helped raise them to be college-ready.

The GIVE Act is the first reauthorization of our national service programs in 16 years, and it is long overdue. With this legislation, we will set a national goal for volunteers of 250,000 by the year 2014. It addresses a wide range of community needs, from disaster relief to health care to education, nonprofits, and housing.

I am especially proud that the GIVE Act, through this manager's amendment, harnesses the power of service to promote and strengthen financial literacy. Our economic crisis has shed an unflattering light on the lack of financial and economic knowledge across the Nation, especially in the communities that can least afford it. The GIVE Act will put resources and volunteers into our communities to help turn this around.

The GIVE Act will make our great tradition of service even stronger. I urge all of my colleagues to vote ''yes.''

Mr. ANDREWS. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS), as modified.

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

Mr. ANDREWS. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MS. PINGREE OF MAINE

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111–39.

Ms. PINGREE of Maine. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. PINGREE of Maine:

In section 122(a)(3)(A) of the National and Community Service Act of 1990 as proposed to be amended by section 1302 of the bill, redesignate clauses (xi) and (xii) as clauses (xii) and (xiii), respectively, and insert after clause (x) the following new clause:

''(xi) providing clean-energy-related services designed to meet the needs of rural communities;''.

The CHAIR. Pursuant to House Resolution 250, the gentlewoman from Maine (Ms. PINGREE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Maine.

Ms. PINGREE of Maine. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 1388 is an important call to service for the entire country. It will offer opportunities to people of all ages, races, and backgrounds to get involved in their communities and make lasting changes in the places they live. I strongly support this bill and want to commend the authors for their hard work in crafting this essential piece of legislation.

Among the many important provisions of this bill, I was pleased to see the inclusion of the Clean Energy Corps. In my home State of Maine, we have some of the oldest housing stock in the Nation, and we are one of the most dependent on home heating oil. Clean energy innovation is essential to our economic growth and survival.

I believe our rural State can become a leader in clean energy and in creating good-paying, sustainable jobs. Clean energy development is an important issue for both urban and rural communities, but rural communities often have to address their clean energy needs in different ways than big cities do.

In addition, rural areas frequently have a wide array of natural resources at their disposal that enable them to effectively address their clean energy needs.

This amendment will give service-based projects in small towns the flexibility to design clean energy solutions that are specific to their rural needs.

□ 1345

I would like to share with you one short example of an innovative and groundbreaking project that was developed in my hometown, the island of North Haven.

I live in a rural community on an island 12 miles off the coast of Maine. Because we have to get our electricity from the mainland over an undersea cable, electric rates are extremely high. Most recently, we paid 27 to 29 cents per kilowatt hour. So the people of my tiny town, where we have 350 year-round residents, have gotten together with a neighboring island and have put together a plan to construct a wind turbine that will provide our electricity, and may even allow us to send some back to the mainland.

This is nearly a $10 million project. This project could not and would not happen without the volunteer efforts of dozens of people in our community who have donated thousands of hours to make this clean energy project a reality.

It is crucial to encourage volunteerism and ingenuity in rural areas which are traditionally underserved by these types of service projects. This

amendment extends additional opportunities for volunteerism into rural areas so we can continue to help and encourage our citizens of all ages to contribute to our clean energy future.

I urge you to vote ''yes'' on this amendment.

Mr. ANDREWS. Will the gentlewoman yield?

Ms. PINGREE of Maine. I yield to the gentleman from New Jersey.

Mr. ANDREWS. On behalf of the committee, I just want to congratulate the author of the amendment and indicate my enthusiastic support for your amendment.

In hearing the gentlelady tell the story of her neighbors volunteering to bring wind energy to her hometown, imagine how many hours of volunteer effort we will leverage by AmeriCorps and other participants being expanded under this bill. I think the gentlelady is not only directly addressing one of the great needs of rural America, which is energy diversification, but also opening the door for many more people to participate. I thank the gentlelady for her amendment. The majority strongly supports the amendment.

Ms. PINGREE of Maine. Mr. Chairman, I reserve the balance of my time.

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

There was no objection.

Mr. PLATTS. Mr. Chairman, I rise in support of this amendment, which adds to the list of approved Clean Energy Corps activities the development of clean energy programs designed to meet the needs of rural communities. Our rural communities are a vital part of America, and this amendment helps to ensure that they are equally served under this act.

I urge a ''yes'' vote.

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

Ms. PINGREE of Maine. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. I want to thank the sponsor of this amendment for broadening the application of this bill.

I just want to make the point that this is a bill that is not only for the benefit of the individuals, the people who are going to gain these skills, but the whole country. When we weatherize homes, when we install solar panels, when we engage in all of these activities, it is part of the whole clean energy revolution that this country is going through, and it is going to help all 50 States.

The best vote I have ever cast, the very first vote I ever cast in Congress was for AmeriCorps, and I am happy that that is being extended. Mr. SARBANES and I introduced a stand-alone bill to get this Energy Corps going, and now I'm glad that we make sure it is all across the country. I thank the gentlelady for her sponsorship.

Mr. PLATTS. Mr. Chairman, I urge a ''yes'' vote in favor of the amendment, and I yield back the balance of my time.

Ms. PINGREE of Maine. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Maine (Ms. PINGREE).

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

Mr. ANDREWS. Mr. Chairman, I demand a recorded vote.

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

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent to withdraw the request for the rollcall vote on the manager's amendment and to reinstate the voice vote for which the Chair ruled in favor of the amendment.

The CHAIR. Without objection, amendment No. 1, as modified, is adopted by voice vote.

There was no objection.

AMENDMENT NO. 3 OFFERED BY MR. HUNTER

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 111–39.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. HUNTER:

Amend section 1404(11) of the bill to read as follows:

(11) in section (c)(6)—

(A) in the matter preceding subparagraph (A), by inserting after ''national service educational award'' the following: ''and summer of service educational award''; and

(B) by amending subparagraph (B) to read as follows:

''(B) the student's estimated financial assistance for such period under part A of title IV of such Act (20 U.S.C. 1070 et seq.).'';

The CHAIR. Pursuant to House Resolution 250, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

I rise today to offer an amendment to H.R. 1388, the Generations Invigorating Volunteerism and Education Act, that ensures veterans are no longer denied the educational benefits they earn through national service programs. My amendment simply removes GI benefits from the maximum educational award calculation so that veterans have full access to national service educational benefits.

Under current law, individuals who participate in national service programs earn educational awards to support their postsecondary education. The total amount a student can draw down for any one period takes into account the cost of attendance at an institution, Pell Grants, and the amount a student receives in veterans' educational benefits. In other words, veterans qualify for lower benefits if they choose to participate in national service programs.

At some low-cost institutions, educational benefits provided to veterans through the GI Bill either significantly reduce the national service award or deny access to this benefit altogether. In States such as California, where the true cost of living is not accurately captured by an institution's cost of attendance, veterans are often unfairly denied the educational award they earn for participation in national service programs.

Full access to these benefits would make a significant difference for some students in high-cost areas, particularly when college costs continue to increase at a rate of 6 or 7 percent a year. Additionally, removing GI Bill benefits from the maximum educational award calculation would likely increase the enrollment of veterans in national service programs, an idea that I hope all of us would support.

Our Nation's veterans are experienced leaders with invaluable skills acquired through years of military service. These qualities make them ideal candidates for volunteer opportunities, yet only about 2 percent of the total AmeriCorps participants are veterans. That is due in large part to the fact that current law discourages this type of service among America's veteran population.

National service programs provide important services that improve the lives of others. Increasing the enrollment of veterans in these programs will only serve to improve their quality and effectiveness.

This amendment is consistent with provisions included in the Higher Education Opportunity Act enacted last year that excluded veterans' educational benefits from a student's eligibility for Federal financial aid. Policies on veterans' educational benefits should be consistent. Students should not be denied the educational assistance they earn through volunteer programs because of their service in America's Armed Forces.

I urge my colleagues to support this amendment so that we can build on our commitment to promote and advance educational opportunities for America's veterans.

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

The CHAIR. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. ANDREWS. Mr. Chairman, the committee majority supports the amendment and thanks the gentleman for offering it.

The amendment is a great idea for two reasons: First, it will significantly broaden participation by our veterans in the national service programs. The skills and abilities and integrity that veterans bring to these programs will no doubt enhance each one of them. And then secondly, we share with the author of the amendment the conclusion that service in the Armed Forces should not act as a penalty, which it

sort of does right now. By counting veterans' benefits against the subsidy characterization, the award characterization, in effect we say that veterans aren't entitled to the same benefit everybody else is. So we think it is an excellent amendment, and we enthusiastically support it.

I yield back the balance of my time.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the honorable gentleman from California, the ranking member on Education and Labor, Congressman MCKEON.

Mr. MCKEON. Mr. Chairman, I thank the gentleman for yielding, and I rise in support of the Hunter amendment.

The gentleman that is the sponsor of this amendment speaks with great expertise when he talks of military and veterans affairs, having joined the Marine Corps the day after 9/11 and having served two tours in Iraq and one in Afghanistan. In fact, when he signed up to run for Congress, he was recalled up, sent back to Afghanistan, and couldn't even campaign. So I thank him for offering this amendment.

Since passage of the original GI Bill, we have provided educational benefits to soldiers returning from battle. Helping these brave men and women pursue a college education is a small price to pay for their valiant service to our Nation. These benefits are not a government handout; rather, they're a small token of our appreciation for their willingness to serve. Unfortunately, the education awards under the GI Bill may actually be held against veterans participating in national service by sometimes decreasing their ability to receive other educational awards.

I support the Hunter amendment because it restores fairness in how veterans' educational awards are treated. This amendment is consistent with bipartisan reforms enacted last year to the Higher Education Act, and it is consistent with our commitment to the veterans who have already given so much to our Nation.

Mr. HUNTER. I would like to thank Congressman ANDREWS and the Democrat side for just recognizing that we have the best of this generation serving in the U.S. military at this time. They are put under extreme stress all the time. If there is any way that we can give back to them, for them to have higher education opportunities and for them to share in those things which people who did not serve share in and not to penalize them, we should do so.

Mr. Chairman, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. LOEBSACK

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 111–39.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. LOEBSACK:

Insert after section 1821 the following:

SEC. 1822. VOLUNTEER GENERATION FUND.

Title I is further amended by adding at the end the following new subtitle:

"Subtitle K—Volunteer Generation Fund

"SEC. 199P. VOLUNTEER GENERATION FUND.

''(a) PURPOSE.—The purpose of this section is to—

''(1) assist nonprofit, faith-based, and other civic organizations in the United States and State Commissions in expanding the supply of volunteers and improving the capacity of such organizations and State Commissions to utilize new volunteers;

''(2) spur innovation in volunteer recruitment and management practices, with a goal of increasing the number of volunteers in the United States; and

''(3) enable the people of the United States to effect change throughout the United States by participating in active volunteer and citizen service.

''(b) GRANTS AUTHORIZED.—Subject to the availability of appropriations for this purpose, the Corporation may make grants to State commissions and nonprofit organizations for the purpose of assisting the recipients of the grants to—

''(1) develop and carry out volunteer programs described in this section;

''(2) make subgrants to support and create new local organizations that generate volunteers as described in this section.

''(c) ELIGIBLE VOLUNTEER PROGRAMS.— The recipient of a grant under this section shall use the assistance, directly or through subgrants to other entities, to carry out volunteer programs and develop and support organizations that generate volunteers through the following types of grants:

''(1) Grants to community based organizations for activities that are consistent with the priorities set by the State's national service plan as described in section 178(e).

''(2) Grants to nonprofit organizations that recruit, manage, and support volunteers, such as a volunteer coordinating agency, a nonprofit resource center, a volunteer training clearinghouse, an institution of higher learning, or collaborative partnerships of faith-based and community organizations.

''(3) Grants to develop strong volunteer infrastructure organizations in communities without such a resource or to strengthen struggling volunteer infrastructure organizations.

''(4) Grants to nonprofit organizations whose activities are consistent with national volunteer generating priorities set by the President and the Corporation.

''(5) Grants to nonprofit organizations that provide technical assistance and support to—

''(A) strengthen the capacity of local volunteer infrastructure organizations;

''(B) address areas of national need; and

''(C) expand the number of volunteers nationally.

''(d) ALLOCATION OF FUNDS.—Of the funds allocated by the Corporation for provision of assistance under this section for a fiscal year, the Corporation shall reserve 50 percent to be allotted on a competitive basis. Of the remaining 50 percent of funds, the Corporation shall make a grant to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico in accordance with the formula in section 129(e) and (f). The corporation may designate a minimum amount to ensure that each State is able to improve efforts to generate volunteers.

''(e) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 6 percent of the amount of any grant provided under this section for a fiscal year may be used to pay for administrative costs incurred by either the recipient of the grant or any community based organization receiving assistance from such grant.

''(f) MATCHING FUND REQUIREMENTS.—The Corporation share of the cost of carrying out a program that receives assistance under this section, whether the assistance is provided directly or as a subgrant from the original recipient of the assistance, may not exceed—

''(1) 80 percent of such cost for the first year in which the recipient receives such assistance;

''(2) 70 percent of such cost for the second year in which the recipient receives such assistance;

''(3) 60 percent of such cost for the third year in which the recipient receives such assistance; and

''(4) 50 percent of such cost for the fourth year in which the recipient receives such assistance and each year thereafter.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section—

''(1) $50,000,000 for fiscal year 2010;

''(2) $60,000,000 for fiscal year 2011;

''(3) $70,000,000 for fiscal year 2012;

''(4) $80,000,000 for fiscal year 2013; and

''(5) $100,000,000 for fiscal year 2014.''.

In the table of contents in section 1(b), strike the item relating to subtitle I of title I and insert the following:

Subtitle I—Training and Technical Assistance and Volunteer Generation Fund

In the table of contents in section 1(b), insert after the item relating to section 1821 the following new item:

Sec. 1822. Volunteer generation fund.

In the table of contents of the National and Community Service Act of 1990, as proposed to be amended by section 4101 of the bill, insert after the item relating to section 199N the following:

SUBTITLE K—VOLUNTEER GENERATION FUND

Sec. 199P. Volunteer generation fund.

The CHAIR. Pursuant to House Resolution 250, the gentleman from Iowa (Mr. LOEBSACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. LOEBSACK. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I want to thank Chairman MILLER, Ranking Member MCKEON, Subcommittee Chairwoman MCCARTHY, and Ranking Member PLATTS for their bipartisan work on the GIVE Act. I am offering this amendment today to build on this important legislation and increase volunteerism across America.

My amendment authorizes grants to nonprofits, including faith-based organizations, and to States to increase the supply of volunteers in this country, and to strengthen volunteer infrastructure organizations nationwide. These grants will help address national and State priorities, especially in areas with the greatest need for this support.

I have never seen more clearly the need for volunteers than in Iowa this past year. In June 2008, Iowa was overcome by severe flooding. As my colleagues know, 85 of Iowa's 99 counties were declared Presidential disaster

areas. The Second District, which I represent, sustained the greatest damage. Thousands of homes and businesses were destroyed, families were displaced, and the devastation was indescribable.

□ 1400

Needless to say, we are still struggling to get back on our feet.

In the initial days of the floods, we faced many challenges. Among them was the need to coordinate volunteer efforts. United Way of East Central Iowa; Serve the City, a local ecumenical group; and several major corporations were all involved in various efforts to recruit and deploy volunteers, but there was no centralized location and point of contact.

In late June United Way of East Central Iowa formed a partnership with Community Corrections Improvement Association, the Iowa Commission on Volunteer Service, and AmeriCorps. Together they created the East Central Iowa Volunteer Reception Center to organize and coordinate volunteer responses to the disasters. AmeriCorps/VISTA team members, working with the United Way and the Iowa Commission staff, opened the volunteer center within 3 weeks of the flood's crest and began taking calls from both volunteers and those who needed volunteer help. AmeriCorps members have helped coordinate over 800,000 volunteer hours through eight volunteer reception centers.

Iowa would not have made the progress it has made in the wake of disasters without volunteers, and Iowa is not alone. Across this country States are faced with growing unmet public needs which can be better addressed by leveraging the work of volunteers. And I might just say, as we speak, we have over 600 student volunteers from universities from all over the country taking time in their spring break to help us continue work in Iowa. This amendment is the missing link in the current set of strategies at the Corporation For National and Community Service to achieve the goal of enabling all Americans to make a contribution through service.

A modest but critical Federal investment in a new volunteer generation fund that builds capacity and access for millions of new volunteers can leverage billions of dollars in volunteer services to some of the country's neediest citizens. I urge my colleagues to support this amendment, and I will submit an article written by an AmeriCorps intern, Lacy White, who was inspired by the work of all the AmeriCorps members in what they were doing and asked if she could do her part by recording their story.

AMERICORPS FUELS HOPE THROUGH DISASTER RELIEF

(By Lacy White)

The summer of 2008 brought tornados and floods that devastated many Iowa towns. In May, an F5 tornado tore through Parkersburg, leveling almost half the town. Homeowners emerged from their basements to find nothing on their lots but piles of rubble and debris. In June, record flooding submerged towns like Oakville and Cedar Rapids. When the waters receded, residents were left with houses full of molding walls and possessions beyond salvaging.

Families across the state were in dire need of help, the damage so extensive that any hope of rebuilding their homes—and their lives—seemed out of reach. Many did not know how or where to begin the enormous task that lie ahead.

AmeriCorps quickly stepped in to offer its service—hundreds of members arrived eager to do whatever necessary to rally and relieve distressed communities. Arriving in Parkersburg less than a week after the tornado, Bill Dillon, a Corporation for National Community Service (CNCS) program director, realized the greatest need was for organization. Dozens of volunteers sat waiting to be deployed, but there was no system for coordinating them. ''We determined the most appropriate use for our team was to set up a Volunteer Reception Center (VRC) to which all groups—internal and traveling through—could report,'' said Dillon. This is also where homeowners could call in and register for assistance.

The VRCs established by AmeriCorps teams across the state provided the key element of efficiency to the work being done in each town, benefiting not only AmeriCorps members, but any volunteer who registered at the VRC. They also became a place for residents to socialize with volunteers, to tell their stories or take their minds off their trouble. Perry Onorio, a member of the Washington Conservation Corps AmeriCorps program, served as head of the Oakville VRC. ''I had direct contact with almost everyone in that town,'' he said. ''I talked to them and let them vent or let them know what was going on. I assured them there were people who had come in solely to help them rebuild their lives.''

It was this assurance by Onorio—and countless other AmeriCorps members like him—that helped facilitate one of the program's most important duties: to offer hope to those who could not see past the devastation in front of them, those who saw their belongings lost or destroyed, their futures uncertain. Many thought their homes were beyond repair and there was nothing they could do. But, as Onorio observed in Oakville, their outlook evolved: ''As people started seeing things change in town it became more hopeful. Once a group like AmeriCorps comes in and does a lot of the work for you—rips out your carpet and drywall—it looks much more doable. You can say, 'I can totally fix this up now.' I saw that change in people on a daily basis as homes were gutted out.''

In flooded towns, the work consisted of draining houses of water and mud, throwing out waterlogged furniture and appliances, removing everything down to the studs and power washing inside and out. In Parkersburg, it was removing debris—everything from trees to metal to glass to concrete to piles of lumber—and anything salvageable from inside houses. AmeriCorps members were able to undertake a tremendous amount of manual labor, freeing many residents from the emotional task of gutting their own homes. Their tireless commitment to backbreaking work in sweltering humidity and the enthusiasm with which they met each challenge provided the support residents needed to endure the summer.

AmeriCorps members also took something away from the experience of disaster relief. Katie Graham, a member of Volunteers in Service to America (VISTA), shared the lesson she learned from her ten week term in Cedar Rapids: ''I learned the importance of living for someone other than yourself, for giving even when you think you have nothing to give, for giving without an expectation of being thanked. And I learned how much community service can tie you to the place where you serve; you sow a part of yourself into whatever community you serve, so returning is a little like coming back home. It's familiar, it's comfortable, it's yours.'' This is a sentiment echoed by many other members who found it difficult to leave when their first term was up, often requesting to extend their service to a second term. In Cedar Rapids, VISTA remains a strong presence as it continues to help the town in its rebuilding process.

Across the state, AmeriCorps helped accomplish in weeks what it would have taken individual homeowners and volunteers months to complete. The program's quick and effective response cleared a space for hope to rise up from the muck and debris, and there are those now rebuilding on foundations AmeriCorps helped clear and cleanse. It has left a lasting impression on the towns through proactive and sustainable volunteer coordination systems, thousands of eager helping hands and relentless positivity. It was this selfless desire to alleviate the frustration and vulnerability of those left suddenly in need that put so many Iowa residents on the road to reclaiming their lives in the wake of disaster.

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

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition to this amendment.

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

Mr. MCKEON. Mr. Chairman, Members on both sides of the aisle have worked hard to strike a balance on this legislation. We have produced a major reorganization and renewal of national service programs, and we've done so without layering on unnecessary new programs.

The purpose of this amendment is to generate volunteers, which is the purpose of the whole bill. It's a worthy goal, and that's why we've taken steps to ensure that all national service programs, in one way or another, encourage volunteerism. The approach included in the bill, agreed to in a bipartisan manner, is the right one. Rather than creating a new program, which this amendment does, we should work to achieve the goal of generating volunteers under the existing programs authorized in this legislation.

Therefore, I oppose this redundant amendment and encourage my colleagues to do the same.

Mr. Chairman, I yield back the balance of my time.

Mr. LOEBSACK. Mr. Chairman, I yield 1 minute to my colleague ROB ANDREWS.

Mr. ANDREWS. I thank my friend for yielding.

I rise in support of the amendment he's offering.

The ranking member is correct that the purpose of the underlying bill is to generate volunteers, but I think that the gentleman from Iowa has put a finer point on that and given the structure of the program a specific place at which volunteers will be generated.

It is a full-time job to generate volunteers. You need someone who gets up every morning dedicated to that purpose. And although the present program has generated millions of hours of volunteer service, I think too often that's been done in a way that's not as effective and robust as it could be.

So we support the gentleman's amendment and urge its adoption because I believe it will result in a quantum leap in the number of volunteer hours.

Mr. LOEBSACK. Mr. Chairman, at this time I want to thank my colleagues for their consideration of my amendment and urge its passage.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. LOEBSACK).

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

Mr. MCKEON. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 5 OFFERED BY MR. ROE OF TENNESSEE, AS MODIFIED

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 111–39.

Mr. ROE of Tennessee. Mr. Chairman, I have an amendment made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. ROE of Tennessee:

In paragraph (1)(C) of section 501(a) of the National and Community Service Act of 1990 as proposed to be added by section 1841 of the bill, strike ''such sums as may be necessary'' and all that follows and insert ''$405,000,000 for fiscal year 2010 and such sums as may be necessary for fiscal years 2011 through 2014.''.

The CHAIR. Pursuant to House Resolution 250, the gentleman from Tennessee (Mr. ROE) and a Member opposed each will control 5 minutes.

Mr. ROE of Tennessee. Mr. Chairman, I ask unanimous consent that the amendment be modified by the text I placed at the desk.

The CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 5 offered by Mr. ROE of Tennessee:

In paragraph (2)(A) of section 501(a) of the National and Community Service Act of 1990 as proposed to be added by section 1841 of the bill, strike ''such sums as may be necessary'' and all that follows and insert ''$405,000,000 for fiscal year 2010 and such sums as may be necessary for fiscal years 2011 through 2014.''.

The CHAIR. Is there objection to the modification of the amendment?

There was no objection.

Mr. ROE of Tennessee. Mr. Chairman, I yield myself 1½ minutes.

My amendment would cap the authorization level in this legislation for fiscal year 2010 at the fiscal year 2008 level of $405 million. This is 5 percent less than fiscal year 2009, which I think reflects what State and local governments are asking their programs to do all over the country.

The legislation we have before us today continues the process of turning the AmeriCorps program into a much more streamlined, cost-effective program that is leveraging a great deal of service for dollars we are spending. While I have some concerns that a few programs want additional scrutiny, the majority of the programs within the national service laws are performing well.

With that being said, the fact is we are in a recession and face record deficits. The legislation before us includes a sense of Congress that the AmeriCorps and several other programs should increase the number of volunteers to 250,000, up from its current level of just over 75,300, which, if achieved, would represent a 300 percent increase. While it seems to me this is a worthy goal for the future, I'm concerned about the temptation to try to get there all at once without some direction to the Appropriations Committee on how much funding to allocate the program.

Nothing in this amendment prevents the program from growing in future years. If our economy gets back on track and revenues increase, which we all are hoping will happen, I think it's perfectly reasonable in the future years to increase the funding for the program. At least for this year, however, when our focus should be on tightening our belts to lower our deficits, this amendment sets what I think is a reasonable boundary for the program.

I urge adoption of this amendment.

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

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

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. ANDREWS. Mr. Chairman, we oppose this amendment because it replaces carefully reasoned consideration of the growth of the program with an arbitrary standard.

I'm quite sympathetic to the author's concern that no program grow more quickly than it should. I think that he's right, and I think that that's a concern we should have in every aspect of the Federal budget. But I think that the proper place to adjudicate that concern is in the appropriations bill.

What the bill before us does is to set a maximum limit, an authorization limit, for how much money can go into these programs. As the gentleman knows, each year the Appropriations Committee will consider, among competing priorities for the public funds, how much money this program should receive. The purpose of an authorization level is aspirational. It is to set a goal that we think is the optimal goal. But we may be wrong. It's shocking, but it's been known to happen around here. If that's the case, it is the job of the Appropriations Committee, after full public hearing and usually under a very open procedure here on the floor, for Members to come and debate the proper amount of funding that should go into such a program.

So we believe that the goals are right. We believe that the aspirational goals in this organization bill are quite right. But we understand that it's our responsibility to subject those aspirational goals to the rigor of the annual appropriations process, and that is what would happen if the bill passes without this amendment's being adopted.

So although we certainly understand the gentleman's concerns, we respectfully oppose his amendment because it deprives the appropriate committee, the Appropriations Committee, and the entire body of the right to make that annual assessment as to what the appropriate level of funding is.

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

Mr. ROE of Tennessee. Mr. Chair, I yield such time as he may consume to the distinguished ranking member of the Education and Labor Committee, the gentleman from California (Mr. MCKEON).

Mr. MCKEON. I thank the gentleman for yielding and welcome him to the committee, a new member of our committee and a great addition to the committee.

The gentleman that just spoke is correct. We do have the appropriators who spend the money, but that does not mean that the authorizers should give up their responsibilities, and they have the responsibility of putting in the bills what they think should be spent.

None of us needs reminding about the grave economic and fiscal challenges we face at this time. In fact, a child born today carries a debt of at least $175,000. That's the equivalent of having a mortgage and no house.

The Roe amendment is a small step but a very important one. It underscores our commitment to fiscal responsibility. And I think, as authorizers, we can step up and do that, and I commend him for offering the amendment.

The GIVE Act, as currently drafted, offers no clear guidance on funding levels for AmeriCorps and its supporting programs. Rather, this section of the bill is merely authorized to spend ''such sums as may be required,'' and we would be giving up the opportunity to advise the appropriators.

As we implement major structural changes in the bill, such as the new fixed-price grant structure, it would be prudent to take our time before deploying on a larger scale. Therefore, although we have encouraged the corporation to actually expand these programs, I support this amendment to authorize funding for the coming year at the fiscal year 2008 level and allow

flexibility in future years to help reach the goal we have articulated.

I urge my colleagues to support this amendment.

Mr. ANDREWS. Mr. Chairman, I continue to reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I yield myself the balance of my time.

I know I am new here in Congress and probably don't understand the way things work, but I have a basic philosophy that I have applied throughout my public service. It's very simple: The government should spend less than it takes in. It's a concept that our State governments and local governments achieve every year, and I know there's pain, but they get it, and it's because that's what they have to do. States like California and Tennessee have to make major spending cuts this year to bring their budgets in balance. The city I was mayor of has a 5 percent cut in their budget this year.

Congress, unfortunately, seems to be best at completely ignoring this principle. I'm not blaming Republicans or Democrats, because it has occurred under the watch of Presidents of both parties. But now is our chance to do something about it. Our economy is in crisis, our deficits are soaring, and I think it's reasonable to ask good programs like AmeriCorps to join the rest of the country in tightening our belts and making do with what we have for 1 more year while we try to get out of this crisis.

With that I urge adoption of my amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. ANDREWS. Mr. Chairman, we would again respectfully request a ''no'' vote on this amendment.

The fiscal concerns that the gentleman raises are quite valid. We believe that the procedure that's in place to address those fiscal concerns is the right one, and we actually believe that this bill in many ways is a partial answer to the country's fiscal crisis in three ways:

First, it promotes many more people getting a higher education. A skilled workforce is one of the most important ways we can grow the economy.

Second, it addresses some of the most pressing needs of the country that are precluding us from growth. Whether it's illiteracy, juvenile delinquency, gaps in our health care system, this underlying bill, we believe, addresses those needs, and this amendment artificially cuts off funding for some of those needs.

And, finally, we think that the volunteer hours that are leveraged by this legislation accomplish so much more for the commonwealth at no cost to the public treasury.

□ 1415

We believe that the amendment artificially cuts off those possibilities and we urge a ''no'' vote.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. ROE), as modified.

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

Mr. ROE of Tennessee. Mr. Chairman, I demand a recorded vote.

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

Mr. ANDREWS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. KILROY) having assumed the chair, Mr. PASTOR of Arizona, Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1388) to reauthorize and reform the national service laws, had come to no resolution thereon.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING PROCEEDINGS TODAY

Mr. ANDREWS. Madam Speaker, I ask unanimous consent that, during consideration of H.R. 1388 pursuant to House Resolution 250, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

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

There was no objection.

GENERATIONS INVIGORATING VOLUNTEERISM AND EDUCATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 250 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1388.

□ 1418

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1388) to reauthorize and reform the national service laws, with Mr. PASTOR of Arizona in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, amendment No. 5 had been postponed.

AMENDMENT NO. 6 OFFERED BY MS. KILROY

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 111–39.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Ms. KILROY:

In section 122(a)(2)(A) of the National and Community Service Act of 1990 as proposed to be amended by section 1302 of the bill, redesignate clauses (vii) and (viii) as clauses (ix) and (x), respectively, and insert after clause (vi) the following new clauses:

''(vii) addressing childhood obesity by providing volunteers to organize and supervise physical education classes and after school physical activities at elementary and secondary schools and providing nutrition education to students;

''(viii) addressing issues faced by homebound elderly citizens through food deliveries, legal and medical services provided in the home, and providing transportation;''

The CHAIR. Pursuant to House Resolution 250, the gentlewoman from Ohio (Ms. Kilroy) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

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

I rise today regarding my amendment to the Generations Invigorating Volunteerism and Education Act, or the GIVE Act.

My amendment would add additional opportunities to the GIVE Act by adding the Healthy Futures Corps, by helping children and the elderly.

Mr. Chairman and Members, as a former VISTA volunteer, as a former school board member who helped bring City Year to my community, and as a former county commissioner who worked diligently on the issues of childhood obesity and hunger in our community, as well as with senior options, issues facing our homebound elderly, this amendment continues some of the issues and concerns that I have seen and recognized back in central Ohio.

As somebody who has had close involvement with AmeriCorps and City Year and with VISTA, I can assert that these are very cost-effective programs that provide vital services to our community. In this instance, today, in Ohio, more than 30 percent of our children between the ages of 10 to 17 are found to be overweight or obese.

As we know, childhood obesity leads to lifelong health consequences, including diabetes and heart disease. Our poorest children are more than twice as likely to be overweight. At a time when our schools are facing cuts, physical education classes are being cut and parents are working more than one job to keep families together, this program would allow us to step up, to help educate our children about living healthy lifestyles.

My amendment focuses volunteers towards programs that combat obesity through physical education for children, after-school activities and nutrition classes. We simply cannot continue to ignore this nationwide epidemic and also the corollary epidemics of preventable chronic diseases.

Physical education opportunities not only help to build strong bodies but help to build for these children habits for a healthy lifetime of good, healthy living. And, as I have seen this as a

member of the school board, I believe that including physical education and exercise in our children's daily lives also helps them improve their learning.

Along with our children, our elderly face challenges in obtaining access to health care and other services. Many senior citizens face restrictions on their movement, making them unable to leave their homes. It shuts them off from the world, and not only from medical care, but from social interaction, from companionship, dealing with other human beings.

Our homebound elderly struggle to get food and adequate nutrition, because they are unable to shop for groceries. It can be a lonely life and a dangerous one where a fall can mean a painful end of their life. My amendment would also allow volunteers to bring food, medical supplies, and legal counsel to these senior citizens who may never be able to access these services otherwise.

I ask for support of children and the elderly by supporting my amendment to direct volunteer services towards combating childhood obesity and providing services to the homebound elderly, to our senior citizens who we need to respect and care for in their later years.

Mr. Chairman, America is facing unprecedented challenges, and it is in these times that Americans must come together to support one another by directing our attention to those who truly need our help.

It was heartwarming to me to learn in our local newspapers that many people who have lost their jobs are devoting themselves to volunteerism, putting their talents to work.

President Obama has called on Congress to create new opportunities for Americans, to build a stronger country, stronger communities and calling for a new era of service.

This bill, the GIVE Act, is an answer to that call, a call to all Americans to help give back to their communities and to offer help to those of us in greatest need.

Again, I can testify from my experience as a VISTA volunteer and being inspired by the young people in City Year, we see people helping people, helping themselves. We see young people becoming role models for other young people, and we see these young volunteers, themselves, learning and developing their own leadership skills.

I support the GIVE Act. It helps people of all ages, from our schools and our school children to our seniors and encourages others to invest their time and passion in their communities.

I urge support of this bill, which will signal a new era of social responsibility.

The CHAIR. The time of the gentlewoman has expired.

Mr. PLATTS. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed to the amendment.

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

There was no objection.

Mr. PLATTS. Mr. Chairman, I would just quickly say I support the amendment, commend the maker of the amendment, the gentlelady from Ohio, for ensuring that through the GIVE Act we are looking out for our Nation's youth and our elderly, especially when it comes to their health and nutrition, and especially in the area of physical fitness. As we know, many schools are struggling to be able to provide physical education classes.

I have a fourth grader and sixth grader and know how important those classes are to them, both from a health standpoint and from just a release to be out of school now and then and burn off a little energy. I think that probably makes them all the more focused in the classroom and maybe a little less antsy in the classroom, which benefits their teachers as well.

I support the amendment.

I yield 3 minutes to the gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. I want to thank my colleague from Pennsylvania for yielding the time.

I want to thank the gentlewoman from Ohio (Ms. KILROY) for her service in various governmental capacities and for her amendment. We all agree that service to this Nation is important. That's why all of us are here. We serve our constituents.

So I would like to ask the gentlewoman, Ms. KILROY, why she voted to block consideration of a bill to require the Treasury Secretary to recoup the outrageous bonuses to AIG employees.

This week, $165 million was awarded to 73 AIG employees. Today's vote would have stopped the bonus payments on behalf of American taxpayers and prevented future abuses of bailout funds. All Americans, my constituents, your constituents, which we serve, are outraged over this because it is taxpayers who are keeping this country alive.

So I ask the gentlewoman from Ohio (Ms. Kilroy) why she didn't stand up and serve her constituents today. We all had a chance to do something today.

I would like to yield to the gentlewoman for a response.

Ms. KILROY. Mr. Chairman, I would like to address those comments. Nobody is more outraged by the actions of AIG than myself.

Ms. FOXX. Reclaiming my time, I would like to ask the gentlewoman to answer my question. Why did you not vote for that bill to stop these payments?

Ms. KILROY. If the gentlelady will yield, there have been votes on record in this House, including a vote prior to the last allocation of TARP funds, in which I am on record as asking for restrictions on executive compensation.

Ms. FOXX. Reclaiming my time, I would like to ask the gentlelady to answer my question.

The CHAIR. Members should direct their remarks in debate to the Chair.

Ms. FOXX. Mr. Chairman, I have asked the gentlewoman from Ohio for a simple answer and I am not getting that. I would like to ask her to please answer the question that I asked her: Why did she not vote to stop the bonuses to the AIG employees?

Does the gentlelady refuse to answer?

The CHAIR. Members are reminded to direct their comments to the Chair.

Ms. FOXX. I yield to the gentlelady from OHio.

Ms. KILROY. It appears the gentlelady from North Carolina does not like the answers that she has been receiving.

I am on record as being against excessive compensation, restrictions on bonuses paid to those recipients of the TARP fund.

I think there should be a time and a place for this debate, and it is unfortunate that a debate on volunteerism and service has been turned into a debate on another issue.

Ms. FOXX. Reclaiming my time, Mr. Chairman, the gentlewoman from Ohio says there is a time and place for this debate. She indicates this is not the time and place.

It is my belief that this is the time and place for that debate. It is a time and place for there to be accountability and responsibility. We have heard those words over and over and over from the other side and from the President. It's time that the other side decides to live up to their responsibility and their accountability.

The CHAIR. The gentleman from Pennsylvania has 1 minute remaining.

□ 1430

Mr. PLATTS. Mr. Chairman, I again rise in support of the amendment, and thank the maker of the amendment for offering it and urge a ''yes'' vote.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KILROY).

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

Ms. KILROY. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 7 OFFERED BY MR. ROSKAM

The CHAIR. It is now in order to consider amendment No. 7 printed in House Report 111–39.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. ROSKAM:

In the table of contents in section 1(b) of the bill, strike the item relating to section 1601 of the bill and insert the following:

''Sec. 1601. Family and medical leave and reports.''.

In section 1513 of the bill, strike paragraphs (1) and (2), and redesignate paragraphs (3) and (4) as paragraphs (1) and (2), respectively.

Amend section 1601 of the bill to read as follows:

SEC. 1601. FAMILY AND MEDICAL LEAVE AND REPORTS.

(a) FAMILY AND MEDICAL LEAVE.—Section 171(a)(1) (42 U.S.C. 12631(a)(1)) is amended by striking ''with respect to a project'' and inserting ''with respect to a project authorized under the national service laws''.

(b) REPORTS.—Section 172 (42 U.S.C. 12632) is amended by adding at the end the following:

''(d) EVALUATION USING PROGRAM ASSESSMENT RATING TOOL.—

''(1) STUDY.—The Director of the Office of Management and Budget shall conduct a study to evaluate the programs authorized by this Act, including the amendments made by this Act, under the Program Assessment Rating Tool or a successor performance assessment tool that is developed by the Office of Management and Budget.

''(2) REPORT.—The Director shall transmit to Congress a report on the results of the study conducted under paragraph (1) within 1 year of the date of enactment of this subsection.

''(e) GAO STUDY.—

''(1) STUDY.—The Comptroller General shall conduct a study of the National Civilian Community Corps program authorized under subtitle E of title I.

''(2) COMPONENTS OF STUDY.—The study conducted under paragraph (1) shall consist of—

''(A) a comprehensive examination of the program;

''(B) an examination of the programs cost-effectiveness, particularly in relation to other comparable AmeriCorps service programs;

''(C) whether the program has data and quantifiable measures to adequately assess the program's progress toward achieving its strategic goals;

''(D) a review of the Office of Management and Budget's 2005 Program Assessment Rating Tool assessment of the program; and

''(E) recommendations for future Congressional treatment of the program, particularly assessing whether the program is duplicative or could be more efficiently managed.

''(3) SUBMISSION.—The results of the study conducted under paragraph (1) shall be submitted within 6 months of the date of enactment of this subsection.''.

The CHAIR. Pursuant to House Resolution 250, the gentleman from Illinois (Mr. ROSKAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. ROSKAM. Thank you, Mr. Chairman. In a nutshell, this is an amendment that is meant to follow on some of the themes that President Obama articulated in his inauguration where he said—and I'm paraphrasing—''Programs that are good, we are going to continue to do, but those that are not so good, let's not do them.''

Toward that end, this is an attempt to give us a diagnostic tool to make sure that we have a clear understanding of what's working and what's not working.

So, in a nutshell, Mr. Chairman, the amendment directs the Office of Management and Budget to evaluate all programs authorized by the entire legislation under the Program Assessment Rating Tool or some successor standard to that.

It also directs the GAO to conduct a review of the National Civilian Community Corps program, and it strikes one of the underlying provisions of the bill which, in my view, and I hope in the majority's view, we can do a little bit better, which would have eliminated the Community Corps' annual reporting requirement, and it would have said let us evaluate this in 2014. But instead, with the amendment, if it's adopted, Mr. Chairman, it will say let's continue on an annual basis with the evaluations.

So I think it's short, sweet, not meant to be controversial, and it's my understanding that it is perceived in that way.

With that, I reserve the balance of my time.

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent to claim time in opposition, although we do not oppose the amendment.

The Acting CHAIR (Mr. BLUMENAUER). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ANDREWS. Mr. Chairman, I thank you. We will support this amendment because we certainly want whatever analytical tools the Office of Management and Budget or whomever uses to rigorously look at all aspects of this bill and this program.

We believe that it's a very sound program, but we certainly invite rigorous scrutiny of the expenditures of the program when it's adopted.

I do want to address some of the remarks by my dear friend from North Carolina. I notice she's left the floor.

She asked the rhetorical question, Mr. Chairman, ''When is the right time to discuss the bonuses paid by some of the recipients of the financial recovery legislation of last fall?'' The answer is: Probably within the next 24 hours.

It's the intention of the House leadership, my understanding, to bring to the floor a bill which does not make a political point but actually solves the problem.

So I think the short answer to the gentlelady's rhetorical question is: The right time is when you know what you're doing, when you have found the mechanism that will actually solve the problem, and you can bring the bill to the floor when it's the issue on the floor, and not make it into an ancillary diversion, which is what happened here.

This bill is about improving and strengthening national service. We believe this amendment is consistent with the bill, and we will support the amendment.

I reserve the balance of my time.

Mr. ROSKAM. I yield 2 minutes to the distinguished gentleman from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. I thank the gentleman for yielding. I rise in support of conducting a GAO study of whether the NCCC and PART programs are accomplishing their mission in a cost-effective manner.

While reauthorizing the Corporation for National and Community Service in our committee, I learned that approximately up to $27,000 dollars is spent per volunteer in the NCCC. In Tennessee, where I am from, you can go to a university in our State for 3 years for that.

I understand that this is a residential program, so there are additional costs for this program that don't exist for other programs, but it still seems high to me. I think it would be helpful to have an independent evaluation of this program to prove its effectiveness, and I thank the gentleman for yielding.

Mr. ANDREWS. I support the amendment and yield back the balance of my time.

Mr. ROSKAM. I thank the gentleman from New Jersey, thank the gentleman from Tennessee, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. MARKEY OF COLORADO

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 111–39.

Ms. MARKEY of Colorado. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Ms. MARKEY of Colorado:

In section 129A(b) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1307 of the bill), strike ''$600'' and insert ''$800'' and strike ''$800'' and insert ''$1,000''.

The Acting CHAIR. Pursuant to House Resolution 250, the gentlewoman from Colorado (Ms. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

Ms. MARKEY of Colorado. Mr. Chairman, I yield myself such time as I may consume. I'd like to thank Chairman MILLER, Congresswoman MCCARTHY, and the entire committee for their diligent work on this important legislation.

I rise today to urge my colleagues to support my amendment to H.R. 1388. My amendment would increase the amount of funds that go to organizations to support national servicemembers. AmeriCorps is one such organization, and its members are making a difference in communities across the United States.

Each year, AmeriCorps offers 75,000 opportunities for adults of all ages and backgrounds to serve through a network of partnerships with local and national nonprofit groups, including nine in my home State of Colorado.

These projects have helped to coordinate such days as Martin Luther King Day of Service and Colorado Cares Day.

Within my congressional district, the Weld County Youth Conservation Corps contracts with the city of Greeley and does everything from working in museums to making buildings handicapped-accessible to eradicating weeds in our State parks. The Corps maintains the Poudre River Trail Corridor, works at the Wray Fish Hatchery, and supports the forest service. In my rural district, VISTA members address poverty needs and disaster relief.

Additionally, one of my constituents, Justin Horn, won ''Corps Member of the Year'' for the State of Colorado in 2008. Constituents in my district contribute to the great work being done around Colorado, along with 75,000 AmeriCorps programs across the country.

To help our men and women do this admirable work, Congress established the Education Award Program in 1998 in order to address concerns about costs organizations incurred from hosting national servicemembers.

Currently, organizations receive only $600 to support the individuals who are enrolled in full-time national service positions. This small amount helps to pay for operational and member support costs, including a living allowance. My amendment proposes an increase to that amount. In today's economy, these organizations are struggling.

My amendment is not only an investment that will boost these organizations and their noble work but, at the same time, improve these communities throughout the United States.

I urge all Members to support my amendment to H.R. 1388.

I reserve the balance of my time.

Mr. PLATTS. Mr. Chair, I rise to claim time in opposition, but I rise in support of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

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

As I said, I rise in support of the amendment in strong recognition of the National Service Corporation's request for this additional ability to ensure they can recruit needed personnel.

So I urge a ''yes'' vote.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. Would the gentlewoman from Colorado yield?

Ms. MARKEY of Colorado. Yes, I yield.

Mr. GEORGE MILLER of California. I want to thank the gentlewoman for introducing this amendment. It's an important amendment so that we can preserve the quality of these programs, and we can make sure that they remain accessible to all those who want to participate.

This will help such grantees as the Boys and Girls Club of America, the Student Conservation Association, and so many other organizations that are responsible for covering this cost. This will help them out in that effort.

They clearly are putting their own resources into this program. This is the Federal Government providing up as a good partner to increase the opportunities that the gentlewoman from Colorado has supported and spoken to the committee about.

We support the amendment. Thank you.

Ms. MARKEY of Colorado. Mr. Chairman, I yield back the balance of my time.

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

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

Ms. MARKEY of Colorado. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 9 OFFERED BY MR. HILL

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 111–39.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. HILL:

In section 122(b)(1)(I) of the National and Community Service Act of 1990 as proposed to be amended by section 1302 of the bill, insert '', such as sending care packages to members of the Armed Forces deployed in combat zones overseas'' before the period.

The Acting CHAIR. Pursuant to House Resolution 250, the gentleman from Indiana (Mr. HILL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. HILL. I am happy that we are taking up this important piece of legislation today. I think it's the right thing to do. The President and the First Lady have, of course, been strong advocates for national service programs.

The amendment that I am offering today evolved as a result of a bill that I introduced in this session. It's House Resolution 1090, called the Homefront Heroes Tax Relief Act. It's a bill that gives support to our troops and our military families who are serving our country.

This legislation actually came about because of a constituent of mine in Bloomington, Indiana—Indiana University Professor Catherine Dalton—who came up with the idea. She had been sending care packages to Iraq and incurring a lot of expense. These care packages were sent to families and to soldiers in Iraq that were not related to her own family.

Everybody wants to help our troops, and this fine young woman was doing just that. She was helping our troops, on her own. But she was also incurring a lot of expense. So she came to me and said, ''Congressman HILL, I think it would be a good idea to help people like myself who are trying to help our troops, and that is the expenses that we incur are tax deductible on our income taxes.''

So I filed the bill, the Homefront Heroes Tax Relief Act, to allow people like Professor Dalton to do just that.

So my amendment simply ensures that sending care packages to members of the armed services deployed in combat are also included in the eligible national service program.

Currently, people like Professor Dalton have to just absorb these expenses. If this amendment is passed, it would allow volunteer programs that send care packages to members of the armed services to be eligible for grant funding under the GIVE Act.

With that, I reserve the balance of my time.

Mr. PLATTS. Mr. Chairman, I ask unanimous consent to claim time in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PLATTS. I yield myself such time as I may consume. I rise in strong support of the amendment. I thank the gentleman from Indiana for offering this amendment.

Having had the privilege to visit our courageous troops eight times in Iraq and five times in Afghanistan, I know how much these care packages from home really mean to the troops, and how they look forward to them and what a morale boost it is.

I think recognizing this type of service, especially to those who are serving us in harm's way, is a wonderful amendment, a change to the legislation, and urge a ''yes'' vote.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. Will the gentleman yield for 30 seconds?

Mr. HILL. I will yield.

Mr. GEORGE MILLER of California. I just want to commend him for offering this amendment, for all of his work on behalf of not only our veterans, but service people on active duty and in support of his constituent from Indiana that came up with this idea to start sending care packages to our troops in service in the theaters of battle.

We clearly think this is a consistent use and allowable use under the National Service Act, and we welcome the amendment and support it.

Mr. HILL. I yield myself such time as I may consume. I thank the chairman and the ranking member for this bipartisan support. This is a bipartisan bill and amendment, and I am sure it will gain a lot of Democrat and Republican votes.

This is the right thing to do. This is how democracy is supposed to work. We are supposed to listen to our constituents who have good ideas and come here to Washington to pass good legislation. So I am happy that we have this bipartisan support.

I yield back the balance of my time.

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

The amendment was agreed to.

□ 1445

AMENDMENT NO. 10 OFFERED BY MR. TEAGUE

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 111–39.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. TEAGUE:

In section 122(a)(4)(A)(ii) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1302 of the bill), insert after ''opportunities'' the following: '', including such opportunities that reflect their military experience''.

In section 122(a)(4)(A)(iii) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1302 of the bill), insert after ''certification'' the following: '', licensure, and credentials, including coordinating with and assisting State and local agencies administering veterans education benefits and programs for internships and fellowships that could lead to employment in the private and public sector''.

In section 122(a)(4)(A)(iv) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1302 of the bill), strike ''active duty military members'' and insert the following: ''members of the Armed Forces serving on active duty, including such efforts to help veterans file benefits claims and assist Federal agencies in providing services to veterans''.

In section 122(a)(4)(A)(vi) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1302 of the bill), insert after ''disabled,'' the following: ''rural,''.

In section 122(a)(4)(A)(vi) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1302 of the bill), insert after ''veterans'' the following: '', including such projects that assist such veterans with transportation''.

The Acting CHAIR. Pursuant to House Resolution 250, the gentleman from New Mexico (Mr. TEAGUE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. TEAGUE. Mr. Chairman, I rise today to offer an important amendment to an important piece of legislation, the GIVE Act. My amendment, which I am offering together with my friend, Congressman KLEIN of Florida, establishes that a Veterans Volunteer Corps would engage in activities that are important to veterans in my district and across the country.

Those activities include: Helping veterans pursue education and employment by coordinating with State and local agencies that administer education and job programs for veterans; helping veterans file benefit claims; and, aiding rural, disabled, and unemployed veterans with transportation needs.

This amendment is especially important for veterans in rural areas like the one I represent. Many veterans in my district have to travel 4 hours or more to reach a veterans hospital for doctor appointments. For folks who would require constant medical care, the burden of this travel weighs heavily on both the veteran and his or her family. Ensuring that a veteran can receive a helping hand for transportation through the GIVE Act will mean so much to men and women in Southern New Mexico and rural areas across the country.

Additionally, providing access to knowledgeable volunteers for veterans applying for their benefits can be a guiding light through the maze of the benefits application process. Veterans service organizations across the country already provide assistance like this at veterans benefits centers often on a volunteer basis. My amendment bolsters their critical service.

Mr. Chairman, this amendment invests in our veteran community, while also allowing our veterans to invest in themselves and their fellow vets.

I thank my chairman on the Veterans' Affairs Committee, Congressman FILNER, for his assistance and support of this amendment, and I thank Chairman MILLER.

I reserve the balance of my time.

Mr. PLATTS. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed.

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

There was no objection.

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

I just rise in support of the amendment. I want to commend the gentlemen from both New Mexico and Florida for offering this amendment, a great addition to the bill, and, as with the previous amendment, ensuring we do right by those who are serving our Nation, past and present, and that we recognize the sacrifices they have made in defense of our Nation, along with their families, and that we now keep our commitment as a Nation to them. I urge a ''yes'' vote.

I yield back the balance of my time.

Mr. TEAGUE. I yield to Chairman MILLER 30 seconds.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding. I want to thank him for bringing this to the committee and offering this amendment.

All of us in our congressional offices know how thin the support services for the veterans as they seek out occupational opportunities, therapy opportunities, all of the needs that our returning veterans have. The gentleman is making a great contribution to this legislation, especially since this is the first time that we have fully integrated veterans into the national service corps of this Nation. These kinds of services are in desperate need in so many areas of the country. This is a very important amendment to making sure that our veterans are able to proceed with all of their needs when they return home.

I thank the gentleman for offering the amendment, and I urge passage of the amendment.

Mr. TEAGUE. Mr. Chairman, I yield the remaining time to the cosponsor of this amendment, Congressman KLEIN of Florida.

Mr. KLEIN of Florida. I thank the gentleman.

Mr. Chairman, Members, I rise in strong support of this amendment and the underlying bill. Congressman TEAGUE and I introduced this amendment in order to clarify the services that could be formed by Veterans' Corps volunteers anywhere.

I represent Palm Beach and Broward Counties in south Florida, home to many of our Nation's veterans. We all agree that when Americans who wear the military uniform return from service, they deserve to be treated with the highest level of respect and dignity that they have earned. This includes making sure they receive the benefits they are entitled to, and I know we all share that commitment.

While the United States Department of Veterans Affairs and military staff work hard to ensure that every veteran gets full advantage of the benefits they have earned, some veterans still have difficulty navigating the system and coming up with all the necessary documents. By allowing trained Veterans' Corps volunteers to guide them through this process, we can ensure more veterans obtain the benefits they were promised.

With thousands of new servicemembers returning from Afghanistan and Iraq, the job of the Veterans' Corps is more critical than ever. As of September 2008, 330,000 Iraq and Afghanistan war veterans have filed disability claims with the VA; yet, 54,000 are still waiting for confirmation that the VA even received their claims. The average wait for a disability claim is more than 6 months. This amendment could help these veterans access the services they need.

I can think of few priorities greater or more urgent than providing basic services such as these to our brave men and women who serve to protect our country, secure our peace, and safeguard our way of life.

I would like to thank my colleague, Congressman TEAGUE, for working with me on this amendment, and particularly Chairman MILLER for introducing this important piece of legislation, which will enable hundreds of thousands of Americans to dedicate their time to a cause that is bigger than themselves through volunteerism and community service. I urge adoption of

this amendment and a ''yes'' vote on the underlying legislation for the betterment of our community and our country as a whole.

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

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MS. TITUS

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 111–39.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Ms. TITUS:

In the table of contents in section 1(b) of the bill, strike the item relating to section 1804 and insert the following:

Sec. 1804. Innovative and Model Program Support and National Service Reserve Corps.

In section 193A(b)(20) of the National and Community Service Act of 1990 (as proposed to be inserted by section 1704 of the bill), strike ''section 198F'' and insert ''section 198G''.

In the section heading of section 1804, insert ''**AND NATIONAL SERVICE RESERVE CORPS**'' after ''**INNOVATIVE AND MODEL PROGRAM SUPPORT**''.

In the matter proposed to be inserted by section 1804 of the bill, amend the heading relating to part II of subtitle H of the National and Community Service Act of 1990 to read as follows:

PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT AND NATIONAL SERVICE RESERVE CORPS

In section 1804 of the bill, strike the close quotation mark and following period after the matter proposed to be inserted by such section, and insert at the end of such section the following:

''SEC. 198E. NATIONAL SERVICE RESERVE CORPS.

''(a) DEFINITIONS.— In this section—

''(1) the term 'term of national service' means a term or period of service—

''(A) under subtitle C, E, or G or sections 198B or 198F of this Act, or under part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.); or

''(B) under an annual service requirement, which may include an annual training session under subsection (b), as determined by the Corporation of not less than 10 hours.

''(2) the term 'National Service Reserve Corps member' means an individual who—

''(A) has completed a term of national service;

''(B) has successfully completed training described in subsection (b) within the previous 2 years; and

''(C) has indicated interest to the Corporation in responding to national disasters and other emergencies in a timely manner through the National Service Reserve Corps.

''(3) ESTABLISHMENT OF NATIONAL SERVICE RESERVE CORPS.—The Corporation shall establish a National Service Reserve Corps to prepare and deploy National Service Reserve Corps. In carrying out this section, the Corporation may work with organizations representing individuals who have completed a term of national service, as well as directly with such individuals.

''(b) ANNUAL TRAINING.—The Corporation shall, in consultation with the Administrator of the Federal Emergency Management Agency, conduct or coordinate annual training sessions for individuals who have completed a term of national service, and who wish to join the National Service Reserve Corps.

''(c) CERTIFICATION OF ORGANIZATIONS.—

''(1) On a biannual basis, the Corporation shall certify organizations with demonstrated experience in responding to disasters, including through using volunteers, for participation in the program under this section.

''(2) The Corporation shall ensure that every certified organization is—

''(A) prepared to respond to major disasters or emergencies;

''(B) prepared and able to utilize National Service Reserve Members in responding; and

''(C) willing to respond in a timely manner when notified by the Corporation of a disaster or emergency.

''(d) DATABASES.—The Corporation shall develop or contract with an outside organization to develop—

''(1) a database of all National Service Reserve Corps members; and

''(2) a database of all nonprofit organizations that have been certified by the Corporation under subsection (c).

''(e) DEPLOYMENT OF NATIONAL SERVICE RESERVE CORPS.—

''(1) IN GENERAL.—If a major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) occurs and the Corporation, in consultation with the Administrator of the Federal Emergency Management Agency, determines is an incident for which National Service Reserve Corps members are prepared to assist, the Corporation shall—

''(A) deploy interested National Service Reserve Corps members on 30-day assignments to assist with local needs related to preparing or recovering from the incident in the affected area, through organizations certified under subsection (c);

''(B) make travel arrangements for the deployed National Service Reserve Corps members to the site of the incident; and

''(C) provide funds to those organizations that are responding to the incident with deployed National Service Reserve Corps members, to enable the organizations to coordinate and provide housing, living stipends, and insurance for those deployed members.

''(2) ALLOWANCE.—Any amounts that are utilized by the Corporation from funds appropriated under section 501(a)(2)(F) to carry out paragraph (1) for a fiscal year shall be kept in a separate fund. Any amounts in such fund that are not used during a fiscal year shall remain available to use to help organizations pay Reserve Corps Members an allowance, determined by the Corporation, for out-of-pocket expenses.

''(3) INFORMATION.—The Corporation, the State Commissions, and entities receiving financial assistance for programs under subtitle C, E, or G or section 198F of this Act, or under part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), shall inform participants of those programs of the National Service Reserve Corps upon the participants' completion of their term of national service.

''(4) COORDINATION.— In deploying National Service Reserve Corps members under this subsection, the Corporation may consult and, as appropriate, partner with Citizen Corps programs in the affected area.''.

In the matter proposed to be inserted by section 1805 of the bill, redesignate section 198E of the National and Community Service Act of 1990 as section 198F.

In the matter proposed to be inserted by section 1806 of the bill, redesignate section 198F of the National and Community Service Act of 1990 as section 198G.

In the table of contents of the National and Community Service Act of 1990 (as proposed to be amended by section 4104 of the bill), strike the item relating to part II of subtitle H and insert the following:

PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT AND NATIONAL SERVICE RESERVE CORPS

In the table of contents of the National and Community Service Act of 1990 (as proposed to be amended by section 4101 of the bill), after the item relating to section 198D, insert the following:

Sec. 198E. National Service Reserve Corps.

In the table of contents of the National and Community Service Act of 1990 (as proposed to be amended by section 4101 of the bill), strike the item relating to section 198E and insert the following:

Sec. 198F. Social Innovation Fund.

In the table of contents of the National and Community Service Act of 1990 (as proposed to be amended by section 4101 of the bill), strike the item relating to section 198F and insert the following:

Sec. 198G. National Service Programs Clearinghouse.

The Acting CHAIR. Pursuant to House Resolution 250, the gentlewoman from Nevada (Ms. TITUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Nevada.

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

I rise today in support of this amendment, which will create a National Service Reserve Corps.

In recent years, we have watched with broken hearts when the aftermath of some natural disaster has left people homeless, jobless, and helpless. But we have also felt, as we witnessed our fellow citizens rise to the occasion with perseverance and selflessness to assist those in need, a real hope for the future.

Many wonderful Americans, including Members of this body, have reached into their hearts and their pockets to help, to serve, to work, and to give. The creation of a National Service Reserve Corps will make sure that those who are most eager to serve and already have the training that communities need can be deployed quickly and effectively.

Our amendment will create a National Service Reserve Corps composed of alumni of AmericaCorps and Senior Corps programs. These wonderful volunteers can be identified and called upon in time of natural disasters and emergencies to start the relief and rebuilding process post haste. The corps members will not only have the valuable training and experience from their year of service, but they will also receive annual training sessions in emergency response.

Our Nation is facing numerous economic challenges, and Nevada, my State, is one of the hardest hit. We have endured record foreclosures and an unemployment rate that is approaching double digits. Nevada AmeriCorps volunteers have been invaluable to our communities in need. Over 2,000 AmericaCorps members have

served in 15 different programs; they have provided more than 2.5 million hours of service, and have earned over $4.7 million in education credits. In 2007, AmericaCorps programs contributed over 25,000 hours of service to Nevada, and members recruited over 3,300 community volunteers who then gave more than 23,000 hours of service.

With public need rising all across the country, we must do all we can to shore up volunteer programs and provide opportunities to those who want to be of service. By creating a National Service Reserve Corps, we will create an organized deployment system for those citizens who are ready to serve and are trained to do so.

We will also show volunteers and anyone who is considering a year of national service that we value their contributions and we will continue to honor it in the years to come. So I encourage my colleagues to support this amendment as well as final passage of the GIVE Act.

Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. PERRIELLO).

Mr. PERRIELLO. Mr. Chairman, I rise today in support of this great national service bill, and specifically the Reserve Corps amendment. I rise also as a proud member of the community service generation. My generation, which was often given a hard time for not voting, was always volunteering in record numbers. We did believe in the idea of civic duty and community service that we had learned from our grandparents in the greatest generation, and we saw through the original AmericaCorps programs and others what a great idea service was. Not only was it a chance to help out those struggling in our community, but it was a chance to build our own character and our own sense of commitment to community and to country.

I come from the nonprofit sector. I spent most of the last decade before Congress in the nonprofit sector, and I have not had a day of that experience go by that I did not feel that I had benefited as much as I had helped. I have worked in West Africa, in Darfur, and in the communities with at-risk kids back here at home, and always enjoyed and celebrated that time.

There are a few things that I have learned from that time in the nonprofit sector that I believe have gone into this Reserve Corps amendment. First and foremost is the idea that once you get someone to volunteer for a little piece of time, you have turned them into a volunteer for life. Volunteering is a wonderful program, and where we can reach out and help people become volunteers we will see that continue to come back to our communities time and time again.

And this cannot be something that is only affordable to those with wealth. We have so many displaced workers who want to volunteer, senior citizens who want to volunteer, community and high school students. And we need to be celebrating and fostering that spirit of service.

Finally, we need to respect and understand the level of professionalism in our nonprofit and volunteer sector. People learn skills here that are incredibly valuable to our community, and this Reserve Corps is based on the idea that once we have made that investment in giving someone the skills to be a great high-level professional in their community, let's keep them on as a Reserve Corps so that we can call them up in times of great national emergency, like Hurricane Katrina, to help them rebuild levees, to help build low-income homes. Let's make volunteerism not something just to do for a summer, but something to do for a lifetime.

I believe this amendment reaches into the best of the American tradition of service and the best of our sense of this being not something that happens for one generation, but across generations, particularly at this time of economic crisis when we must all come together.

Mr. PLATTS. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed to the amendment.

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

There was no objection.

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

I rise in support of the amendment, and commend the gentlelady from Nevada and the gentleman from Virginia for their amendment and urge a ''yes'' vote.

I yield back the balance of my time.

Ms. TITUS. Mr. Chairman, I yield back the balance of my time.

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

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

Ms. TITUS. Mr. Chairman, I demand a recorded vote.

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

□ 1500

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111–39 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Ms. PINGREE of Maine;

Amendment No. 4 by Mr. LOEBSACK of Iowa;

Amendment No. 5 by Mr. ROE of Tennessee;

Amendment No. 6 by Ms. Kilroy of Ohio;

Amendment No. 8 by Ms. MARKEY of Colorado;

Amendment No. 11 by Ms. TITUS of Nevada.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 2-minute votes.

AMENDMENT NO. 2 OFFERED BY MS. PINGREE OF MAINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Maine (Ms. PINGREE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 388, noes 36, not voting 13, as follows:

[Roll No. 133]

AYES—388

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
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
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen

Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Norton
Nye
Oberstar
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sablan
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
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
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—36

Akin
Barrett (SC)
Barton (TX)
Blunt
Broun (GA)
Burton (IN)
Campbell
Carter
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Hastings (WA)
Hensarling
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Lamborn
Latta
Linder
Lummis
Mack
Marchant
Miller (FL)
Nunes
Paul
Pence
Poe (TX)
Rohrabacher
Royce
Scalise
Sessions
Shadegg
Stearns
Westmoreland

NOT VOTING—13

Alexander
Bishop (UT)
Boustany
Capuano
Davis (TN)
Hinchey
Honda
Lucas
Miller, Gary
Obey
Olson
Sanchez, Loretta
Tiahrt

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 1530

Messrs. MARCHANT, WESTMORELAND, ROHRABACHER, LATTA, PAUL and MACK changed their vote from ''aye'' to ''no.''

Messrs. PETERS, GORDON of Tennessee and BURGESS and Mrs. SCHMIDT changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. TIAHRT. Mr. Chairman, on rollcall No. 133, I was unavoidably detained. Had I been present, I would have voted "aye."

AMENDMENT NO. 4 OFFERED BY MR. LOEBSACK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. LOEBSACK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 168, not voting 8, as follows:

[Roll No. 134]

AYES—261

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

NOES—168

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Berry
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Holden
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Minnick
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Paul
Paulsen
Pence
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Upton
Walden
Wamp
Westmoreland

Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Boustany
Davis (TN)
Hinchey
Larson (CT)
Lucas
Miller, Gary
Olson
Sanchez, Loretta

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1536

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. ROE OF TENNESSEE, AS MODIFIED

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Tennessee (Mr. ROE), as modified, on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 256, not voting 6, as follows:

[Roll No. 135]

AYES—175

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Lance
Latham
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Minnick
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tanner
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOES—256

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

NOT VOTING—6

Boustany
Hinchey
Lucas
Miller, Gary
Olson
Sanchez, Loretta

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1544

Mr. JOHNSON of Georgia changed his vote from ''aye'' to ''no.''

Ms. FALLIN and Mr. LEE of New York changed their vote from ''no'' to ''aye.''

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are reminded we are in a series of 2-minute votes.

AMENDMENT NO. 6 OFFERED BY MS. KILROY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Ohio (Ms. KILROY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 372, noes 57, not voting 8, as follows:

[Roll No. 136]

AYES—372

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boccieri
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
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
Ellison
Ellsworth

Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gonzalez
Goodlatte
Gordon (TN)
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sablan
Salazar
Sánchez, Linda T.
Sarbanes
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—57

Aderholt
Akin
Alexander
Bachmann
Barrett (SC)
Berry
Bishop (UT)
Blunt
Boehner
Bonner
Brady (TX)
Broun (GA)
Campbell
Cantor
Carter
Coble
Culberson
Davis (KY)
Deal (GA)
Flake
Fleming
Foxx
Franks (AZ)
Gingrey (GA)
Gohmert
Granger
Hall (TX)
Harper
Hastings (WA)
Hensarling
Herger
Inglis
Issa
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Lamborn
Latta
Linder
Lummis
Mack
Marchant
McClintock
Neugebauer
Nunes
Pence
Poe (TX)
Rogers (AL)
Royce
Scalise
Sessions
Shadegg
Shuster
Souder
Thornberry
Westmoreland

NOT VOTING—8

Boustany
Hinchey
Lucas
Miller, Gary
Olson
Sanchez, Loretta
Schakowsky
Skelton

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1549

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MS. MARKEY OF COLORADO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Colorado (Ms. MARKEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 283, noes 147, not voting 7, as follows:

[Roll No. 137]

AYES—283

Abercrombie
Ackerman
Adler (NJ)
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Buchanan
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McMahon
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wittman
Woolsey
Wu
Yarmuth

NOES—147

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Berry
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Hall (TX)
Harper
Hastings (WA)
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Moran (KS)
Myrick
Neugebauer
Nunes
Paul
Paulsen

Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (TX)
Souder
Stearns
Sullivan
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Boustany
Hinchey
McNerney
Miller, Gary
Minnick
Olson
Sanchez, Loretta

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1555

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MS. TITUS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Nevada (Ms. TITUS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 339, noes 93, not voting 5, as follows:

[Roll No. 138]

AYES—339

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Price (NC)
Putnam
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOES—93

Aderholt
Akin
Alexander
Bachmann
Barrett (SC)
Bartlett
Berry
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Brady (TX)
Broun (GA)
Burton (IN)
Buyer
Campbell
Cantor
Carter
Coble
Conaway
Culberson
Davis (KY)
Deal (GA)
Duncan
Flake
Fleming
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Hall (TX)
Harper
Hastings (WA)
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Latham
Latta
Linder
Lummis
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
Mica
Miller (FL)
Moran (KS)
Neugebauer
Nunes
Paul
Poe (TX)
Posey
Price (GA)
Radanovich
Rogers (AL)
Rohrabacher
Royce
Ryan (WI)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuster
Simpson
Souder
Stearns
Sullivan
Thornberry
Tiahrt
Westmoreland
Wilson (SC)
Young (FL)

NOT VOTING—5

Boustany
Hinchey
Miller, Gary
Olson
Sanchez, Loretta

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1601

The Acting CHAIR. So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. TAUSCHER) having assumed the chair, Mr. BLUMENAUER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1388) to reauthorize and reform the national service laws, pursuant to House Resolution 250, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. FOXX. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. FOXX. I am, Madam Speaker.

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

The Clerk read as follows:

Ms. Foxx moves to recommit the bill, H.R. 1388, to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with the following amendments:

Strike section 1304 of the bill and insert the following:

SEC. 1304. PROHIBITED ACTIVITIES AND INELIGIBLE ORGANIZATIONS.

Section 125 (42 U.S.C. 12575) is amended to read as follows:

"SEC. 125. PROHIBITED ACTIVITIES AND INELIGIBLE ORGANIZATIONS.

''(a) PROHIBITED ACTIVITIES.—A participant in an approved national service position under this subtitle may not engage in the following activities:

''(1) Attempting to influence legislation.

''(2) Organizing or engaging in protests, petitions, boycotts, or strikes.

''(3) Assisting, promoting, or deterring union organizing.

''(4) Impairing existing contracts for services or collective bargaining agreements.

''(5) Engaging in partisan political activities, or other activities designed to influence the outcome of an election to any public office.

''(6) Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials.

''(7) Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of religious proselytization.

''(8) Providing a direct benefit to—

''(A) a business organized for profit;

''(B) a labor organization;

''(C) a partisan political organization;

''(D) a nonprofit organization that fails to comply with the restrictions contained in section 501(c)(3) of the Internal Revenue Code of 1986 except that nothing in this section shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative; and

''(E) an organization engaged in the religious activities described in paragraph (7), unless Corporation assistance is not used to support those religious activities.

''(9) Conducting a voter registration drive or using Corporation funds to conduct a voter registration drive.

''(10) Such other activities as the Corporation may prohibit.

''(b) INELIGIBLE ORGANIZATIONS.—No assistance provided under this subtitle may be provided to the following types of organizations (including the participation of a participant in an approved national service position under this subtitle in activities conducted by such organizations) or to organizations that are co-located on the same premises as the following organizations:

''(1) Organizations that provide or promote abortion services, including referral for such services.

''(2) For-profit organizations, political parties, labor organizations, or organizations engaged in political or legislative advocacy.

''(3) Organizations that have been indicted for voter fraud.

''(c) NONDISPLACEMENT OF EMPLOYED WORKERS OR OTHER VOLUNTEERS.—A participant in an approved national service position under this subtitle may not perform any services or duties or engage in activities which—

''(1) would otherwise be performed by an employed worker as part of his or her assigned duties as an employee or by another volunteer who is not a participant in an approved national service position; or

''(2) will supplant the hiring of employed workers or work of such other volunteers.''.

Amend the table of contents in section 1(b) by striking the item relating to section 1304 and inserting the following:

Sec. 1304. Prohibited activities and ineligible organizations.

Amend the table of contents of the National and Community Service Act of 1990 (as proposed to be amended by section 4101 of the bill) by striking the item relating to section 125 and inserting the following:

''Sec. 125. Prohibited activities and ineligible organizations.''.

Ms. FOXX (during the reading). I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Madam Speaker, this motion to recommit codifies current regulations with regard to activities and organizations ineligible for grants from the Corporation for National and Community Service and AmeriCorps volunteers.

The activities include lobbying, protesting, union organizing, engaging in partisan political activities or religious instruction, conducting voter registration, or providing direct benefits to for-profit businesses, labor unions or political parties.

It also adds to the list of organizations, those that promote or provide abortions, as well as for-profit organizations, political parties, labor organizations, lobbyists, and those indicted for voter fraud. Organizations are also prohibited from receiving funds under these instructions if they are also co-located with an organization that engages in prohibited activities.

Finally, no organization that receives funds under this bill may displace current employed workers or volunteers.

Madam Speaker, the overriding principle here is that money is fungible. Funds must be used for the purpose of service and encouraging others to serve within their communities. They must not be allowed to be used for prohibited activities.

Groups that might be eligible for these grants and volunteers, if this motion to recommit were not to pass, include a laundry list of organizations that engage in activities that many Americans do not support.

For example, ACORN employees and supervisors have been indicted for voter fraud in recent history. During the 2008 election, proof surfaced that voter registration by the group was, in the words of the New York Times, ''vastly overstated,'' including registrations for Disney characters and Dallas Cowboy football players. Experts say that instances of inaccurate registration and fraud are greater when volunteers receive payment for their services. The American taxpayer should not be forced to pay for fraudulent behavior in the name of promoting community service.

For the current 2008–2009 AmeriCorps service year, Oregon Planned Parenthood has listed position for a paid volunteer. This AmeriCorps volunteer would be responsible for ''providing, promoting and protecting access to reproductive sexual health care for the women, men, and teens.''

While individuals should be aware of how to access health care services within their communities, the Federal Government prohibits use of Federal funds to be used for abortion as a form of family planning. Planned Parenthood is the largest abortion provider in the U.S. Federal taxpayer dollars should not be used to fund volunteers at organizations such as this.

Volunteerism plays a critical role in meeting many needs in our society. However, the Federal Government should not be paying individuals to volunteer their time at locations that are prohibited from receiving taxpayer dollars, especially when Americans are already facing budget constraints from all the demands they face. This is not acceptable.

This motion to recommit ensures that taxpayer dollars are not directed toward programs that are politically divisive and morally objectionable. It also ensures that AmeriCorps volunteers and recipients of corporation grants do not disrupt current volunteer activities and employee responsibilities.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I am against it, but I will not oppose it.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Members of the House, I want to begin by thanking all of you for your support for this legislation, for the bipartisan support we have received throughout the committee deliberations in our committee, and the support that we received both in the Rules Committee and on the floor today.

As we went through the amendment process, Members of Congress from both sides of the aisle spoke in favor of this most important American value, and that is service to our country, service to our neighbors, service to our communities, and that's what's reflected in this legislation. It is a rather remarkable mosaic of organizations and individuals from every corner of this country, from large cities to small rural towns that have responded to the needs of others, and they have responded without question. They have responded with their skills, their talents, and they have come forth to build a stronger America and a better community.

Earlier today at an event that we had with many of the volunteers to discuss this legislation, we were honored with the presence of Captain Scott Quilty, who retired from the Army after 10 years of service as a decorated infantry captain and Army Ranger during his tour in Iraq, where he led a platoon assigned to train, assess and build the operational capacity of a 460-man element of the Iraqi Army.

In that tour of duty, he lost an arm and a leg. When he returned to America, as if he hadn't given enough service to America, he immediately joined the organization of Survivor Corps to help our returning vets when they come back to this country after serving in Afghanistan, Iraq, and other places around the world, to reintegrate with their families, their communities, their schools, their jobs, their friends, their neighbors.

We were honored with Scott Quilty. And at that very same service, a gentleman walked up to me and handed me these, many of us see this when we tour our Army bases or our Air Force Bases or meet with the troops, it's called the Young Marines, and they do much of the same service. They give their time to our veterans. But they are not the only ones. We have senior grandparents, we have Teach For America, we have Jumpstart, we have Americans doing all of this.

We have Americans in the AmeriCorps that organized over 300,000 hours of volunteer service when the floods hit Iowa. They were there first. They came with their first responders in California with the wildfires and with the floods. They showed up early and they stayed late with Katrina and Rita.

This is what we celebrate with this legislation, and I want to thank you for your support and your good words on behalf of these people, Americans all, who step forward every time one of us needs them or the community needs them.

This legislation will strengthen and enable more Americans to be able to do so. It will tie in an educational benefit so that young children can have a service experience in middle school and high school and schools will become the center of service for young people in their communities.

Now let me get to the motion to recommit. I think, as we have only seen it for a few minutes, I think most of the motion to recommit is, in fact, already covered in statutes, regulations and the grant agreements that are issued. We are well aware of these issues. The Members on both sides of the aisle have spoken to them, and they have offered statutes, not only in this act, but in other acts, making sure that people who get these grants don't engage in activities that they should not be.

So we plan to accept this amendment. I appreciate the gentlewoman offering it, and we will take it to conference.

But, again, I want to thank you for supporting this legislation in advance of your support, and I would ask that you feel free to vote for the motion to recommit.

Again, I ask for passage of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Ms. FOXX. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 318, noes 105, not voting 8, as follows:

[Roll No. 139]

AYES—318

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boyd
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carnahan
Carney
Carter
Cassidy
Castle
Chaffetz
Chandler
Childers
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costello
Crenshaw
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly (IN)
Dreier
Driehaus
Duncan
Ehlers
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Farr
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Griffith
Guthrie
Hall (TX)
Halvorson
Harman
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Himes
Hinojosa
Hodes
Hoekstra
Holden
Honda
Hoyer
Hunter
Inglis
Israel
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kaptur
Kennedy
Kildee
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Lipinski
LoBiondo
Loebsack
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Myrick
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Pence
Perriello
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Scalise
Schauer
Schiff
Schmidt
Schock
Schrader
Scott (GA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Towns
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Yarmuth
Young (AK)
Young (FL)

NOES—105

Abercrombie
Ackerman
Baca
Baird
Baldwin
Bean
Becerra
Berman
Berry
Bishop (NY)
Brady (PA)
Braley (IA)
Brown, Corrine
Capps
Capuano
Cardoza
Carson (IN)
Castor (FL)
Clarke
Clay
Cleaver
Clyburn
Cohen
Courtney
Crowley
Davis (CA)
DeGette
Delahunt
DeLauro
Doggett
Doyle
Edwards (MD)
Ellison
Engel
Fattah
Filner
Frank (MA)
Fudge
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Higgins
Hirono
Holt
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kanjorski
Kilpatrick (MI)
Kissell
Kucinich
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Luján
Matsui
McCollum
McDermott
McGovern
Meek (FL)
Moore (WI)
Murtha
Nadler (NY)
Napolitano
Olver
Payne
Perlmutter
Pingree (ME)
Polis (CO)
Richardson
Roybal-Allard
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Schwartz
Scott (VA)
Serrano
Sherman
Slaughter
Speier
Stark
Sutton
Thompson (MS)
Tierney
Tonko
Tsongas
Velázquez
Waters
Watson
Watt
Waxman
Weiner
Welch
Woolsey
Wu

NOT VOTING—8

Boustany
Costa
Edwards (TX)
Hinchey
Miller, Gary
Olson
Sanchez, Loretta
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining to vote.

□ 1631

Messrs. HALL of New York, HASTINGS of Florida, INSLEE, TIERNEY, TONKO, Mrs. CAPPS, Mr. CARDOZA, Ms. SCHAKOWSKY, Messrs. PERLMUTTER, BISHOP of New York, Ms. RICHARDSON, Mrs. DAVIS of California, Mr. BACA, Ms. ZOE LOFGREN of California, and Ms. PINGREE of Maine changed their vote from ''aye'' to ''no.''

Messrs. CARNAHAN and MICA changed their vote from ''no'' to ''aye.''

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. GEORGE MILLER of California. Madam Speaker, pursuant to the instructions of the House on the motion to recommit, I report the bill, H.R. 1388, back to the House with an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. GEORGE MILLER of California:

Strike section 1304 of the bill and insert the following:

SEC. 1304. PROHIBITED ACTIVITIES AND INELIGIBLE ORGANIZATIONS.

Section 125 (42 U.S.C. 12575) is amended to read as follows:

"SEC. 125. PROHIBITED ACTIVITIES AND INELIGIBLE ORGANIZATIONS.

''(a) PROHIBITED ACTIVITIES.—A participant in an approved national service position under this subtitle may not engage in the following activities:

''(1) Attempting to influence legislation.

''(2) Organizing or engaging in protests, petitions, boycotts, or strikes.

''(3) Assisting, promoting, or deterring union organizing.

''(4) Impairing existing contracts for services or collective bargaining agreements.

''(5) Engaging in partisan political activities, or other activities designed to influence the outcome of an election to any public office.

''(6) Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials.

''(7) Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of religious proselytization.

''(8) Providing a direct benefit to—

''(A) a business organized for profit;

''(B) a labor organization;

''(C) a partisan political organization;

''(D) a nonprofit organization that fails to comply with the restrictions contained in section 501(c)(3) of the Internal Revenue Code of 1986 except that nothing in this section shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative; and

''(E) an organization engaged in the religious activities described in paragraph (7), unless Corporation assistance is not used to support those religious activities.

''(9) Conducting a voter registration drive or using Corporation funds to conduct a voter registration drive.

''(10) Such other activities as the Corporation may prohibit.

''(b) INELIGIBLE ORGANIZATIONS.—No assistance provided under this subtitle may be provided to the following types of organizations (including the participation of a participant in an approved national service position under this subtitle in activities conducted by such organizations) or to organizations that are co-located on the same premises as the following organizations:

''(1) Organizations that provide or promote abortion services, including referral for such services.

''(2) For-profit organizations, political parties, labor organizations, or organizations engaged in political or legislative advocacy.

''(3) Organizations that have been indicted for voter fraud.

''(c) NONDISPLACEMENT OF EMPLOYED WORKERS OR OTHER VOLUNTEERS.—A participant in an approved national service position under this subtitle may not perform any services or duties or engage in activities which—

''(1) would otherwise be performed by an employed worker as part of his or her assigned duties as an employee or by another volunteer who is not a participant in an approved national service position; or

''(2) will supplant the hiring of employed workers or work of such other volunteers.''.

Amend the table of contents in section 1(b) by striking the item relating to section 1304 and inserting the following:

Sec. 1304. Prohibited activities and ineligible organizations.

Amend the table of contents of the National and Community Service Act of 1990 (as proposed to be amended by section 4101 of the bill) by striking the item relating to section 125 and inserting the following:

''Sec. 125. Prohibited activities and ineligible organizations.''.

Mr. GEORGE MILLER of California (during the reading). Madam Speaker, I ask unanimous consent that the amendment be considered as read.

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

There was no objection.

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. GEORGE MILLER of California. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 321, nays 105, not voting 6, as follows:

[Roll No. 140]

YEAS—321

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Putnam
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—105

Aderholt
Akin
Alexander
Bachmann
Barrett (SC)
Bartlett
Barton (TX)
Berry
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Buyer
Campbell
Cantor
Carter
Chaffetz
Coble
Coffman (CO)
Conaway
Culberson
Davis (KY)
Deal (GA)
Dreier
Duncan
Fallin
Flake
Fleming
Forbes
Foxx
Franks (AZ)
Garrett (NJ)

Gingrey (GA)
Goodlatte
Granger
Graves
Hall (TX)
Harper
Hastings (WA)
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latta
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McHenry
Mica
Miller (FL)
Moran (KS)
Myrick
Neugebauer
Nunes
Paul
Pence
Pitts
Poe (TX)
Posey
Price (GA)
Radanovich
Rogers (AL)
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuster
Smith (NE)
Smith (TX)
Stearns
Thornberry
Tiahrt
Wamp
Westmoreland
Whitfield
Wilson (SC)

NOT VOTING—6

Boustany
Gohmert
Hinchey
Miller, Gary
Olson
Sanchez, Loretta

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining to record their vote.

□ 1639

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1388, GENERATIONS INVIGORATING VOLUNTEERISM AND EDUCATION ACT

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1388, to include corrections in spelling, punctuation, section numbering, cross-referencing, and the insertion of appropriate headings, and that the Clerk make the correction that I have placed at the desk.

The SPEAKER pro tempore (Mr. DRIEHAUS). The Clerk will report the correction.

The Clerk read as follows:

In section 1306 of the bill, strike the close quotation mark and following period after the matter proposed to be inserted by such section, and insert at the end of such section the following:

''(m) NO MATCHING FUNDS REQUIREMENT FOR SEVERELY ECONOMICALLY DISTRESSED COMMUNITIES.—Notwithstanding any other provision of law, a severely economically distressed community that receives assistance from the Corporation for any program under the national service laws shall not be subject to any requirement to provide matching funds for any such program, and the Federal share of such assistance for such a community may be 100 percent.''

Mr. GEORGE MILLER of California (during the reading). I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. POLIS, from the Committee on Rules, submitted a privileged report (Rept. No. 111–40) on the resolution (H. Res. 257) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

AIG'S EXECUTIVE BONUSES

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

Mr. LANGEVIN. Mr. Speaker, I rise today to express my deep outrage over AIG using $165 million in government funding to pay top executive bonuses.

The company, for all intents and purposes, is bankrupt and has been bailed out by taxpayer dollars, and the fact that these bonuses could have gone forward simply defies logic.

Mr. Speaker, I would like to commend Chairman FRANK and Chairman KANJORSKI for presiding over today's hearing on AIG and for their continued oversight to make sure that taxpayer funds are being used responsibly to get our economy back on track.

While I was pleased to hear that Edward Liddy said that he would try to recoup the bonuses from his employees, I remain furious at how and why AIG chose to reward complete incompetence with taxpayer money. AIG executives must be held more accountable for their decision and may need to pay for mismanagement with their jobs. That is why I joined over 90 of my colleagues in sending a letter to Secretary Geithner demanding a full accounting of the use of taxpayer money at AIG and to block these bonuses and why I support legislation to ensure that taxpayers receive a full refund.

At this time of great uncertainty and instability in our Nation, the public deserves more from AIG and from us, their elected officials, who are entrusted to make responsible decisions on their behalf.

FDA ADVERSE EVENT REPORTING LABELING CHANGES

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

Mr. CHAFFETZ. Mr. Speaker, Americans are concerned not only about the safety of their food but their ability to put food on their tables. So it makes no sense that the Food and Drug Administration has mandated change to dietary supplement labels which will add no safety benefits or protections to consumers. These forced changes will result in higher prices for vitamins and minerals many Americans rely on to maintain a healthy diet and lifestyle.

In December of 2006, the Dietary Supplement and Nonprescription Drug Consumer Protection Act was passed into law. The law requires mandatory reporting of serious adverse events. That is a good thing. But the FDA has now mandated label changes which they're only giving the industry 1 year to comply with. Industry will make the required changes in their labels, but forcing them to do so in less than 9 months is not the answer.

Keep in mind, however, the law underlying this guidance did not require any label changes. It was the FDA's decision, independent of legislation, to force these changes on supplement producers. And what is the price tag for these required changes? According to the FDA's own documents, compliance would exceed $220 million. Not a small amount in today's business environment.

Clearly, now is the not the time for our government to find ways to needlessly increase costs for consumers, especially when these mandates provide no added benefits or protections for consumers.

□ 1645

THE FIGHTING TIGERS OF MIZZOU

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

Mr. LUETKEMEYER. Mr. Speaker, if you listen very closely, very closely, you can hear it. It's the sound of Tigers roaring from their den at the University of Missouri-Columbia, deep in the heart of the Ninth Congressional District.

For those of you who haven't heard, the Fighting Tigers of Mizzou were unleashed upon their unsuspecting Big 12 prey and earned MU's first league championship in 16 years and first Big 12 Basketball Championship this past weekend.

I want to congratulate Coach Anderson and the 2009 Missouri Tigers for a regular season to remember. I also want to recognize the best defense in the country for offering their opponents ''40 Minutes of Hell.''

But these Tigers are still hungry. And as the No. 3 seed in the West Regional, they are seeking new prey, beginning with Cornell this Friday. Mr. Speaker, I'm not a betting man, but something tells me that the Tigers will roar when they hit the floor, knocking down that national championship door. Go Tigers.

CAP-AND-TRADE ENERGY TAX

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, let me quote from a meeting with the editorial board at the San Francisco Chronicle that then-candidate Barack Obama had in January of 2008. He said, ''under my plan of a cap-and-trade system, electricity rates would necessarily skyrocket. This will cost money. They will pass that money on to consumers.''

Well, ladies and gentlemen, unfortunately, the President's cap-and-trade plan, or as many people call it, the cap-and-tax plan, does exactly that.

There was a recent study conducted by MIT, the Massachusetts Institute of Technology, and it was able to assess the fact that a total energy bill for the average household will increase over $3,000. As a matter of fact, it will be up by $3,128 per year. According to CBO testimony, those figures actually will relate.

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.

ON THIS SIXTH ANNIVERSARY OF WAR, LET US WORK FOR PEACE

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

Ms. WOOLSEY. Mr. Speaker, in 2 days, we will mark the sixth anniversary of America's invasion and occupation of Iraq. When President Bush announced the start of the conflict on the night of March 20, 2003, he said that America must go to war against a regime ''that threatens the peace with weapons of mass murder.'' Of course, Mr. Speaker, we know that those weapons did not exist and that the war should never have been fought. But today, I don't want to go back, and I don't want to revisit all the many mistakes of the past. Instead, I want to use this time to remember the literally millions of men, women and children from the United States of America, from Iraq and from the many other countries whose lives have been shattered over the past 6 years.

These include those who died, the wounded, the veterans, the refugees, the orphans, the widows and the many other family members who are left to mourn and to struggle. We have a great responsibility in this House of Representatives to honor and to give meaning to their sacrifice. I believe the best way to do that is by committing ourselves to work for peace so that war becomes a thing of the past.

On this sixth anniversary, Mr. Speaker, this anniversary of the occupation, we have more reason to hope for peace than on the previous five. That is because we have a new leader in the White House, one who has already taken some very positive steps. President Obama is committed to diplomacy, not war, and the most important tool of American foreign policy. He has banned the use of torture. He is closing the notorious prison at Guantanamo Bay. And he has announced a plan to remove all combat troops from Iraq. But Mr. Speaker, there is much more that we need to do.

The Iraq withdrawal plan will leave 50,000 troops behind to continue the occupation. That is unacceptable. All troops and military contractors must come home by August 2010, at the latest. In Afghanistan, the administration is planning to double down on our military involvement. But, Mr. Speaker, there is no military solution to the situation in Afghanistan. That is why I have joined my colleagues, BARBARA LEE and MAXINE WATERS, in asking the President to establish a timeline for the redeployment of our troops out of Afghanistan. We have also called for a plan to assist the Afghan people, because we cannot defeat the Taliban with bombs and bullets. We can only defeat the Taliban by helping the Afghan people to meet their desperate needs for schools, for roads and for economic development.

But we need to do more than just solve problems as they arise. We need to be proactive. We need to have a comprehensive strategy for keeping the peace. Let me suggest two ways to achieve that goal. First, I believe this is a good time to renew Congressman KUCINICH's calls for the establishment of a Cabinet-level Department of Peace so we can work full-time to analyze international problems and advise the President on strategies to prevent war and to peacefully resolve conflicts around the world. The President of the United States has never had the advantage of such advice. I believe it is high time that he did.

Second, I believe that this is a good time to renew our proposal for a smart national security plan. ''Smart'' is based on a simple idea: War is an outdated concept. That is why my smart plan keeps Americans safe through strong global alliances and better intelligence, as opposed to pre-emptive military strikes. Smart also calls for the United States to support nuclear nonproliferation, and it includes an ambitious humanitarian development agenda to end the hopelessness and oppression that lead to war and terrorism in the first place.

Mr. Speaker, after these many years of violence, one thing is clear. The American people have had enough war. They are seeking a better way to make the world safe for their children and grandchildren. So let us resolve in the honor of those who suffer because of a mistaken occupation 6 years ago to do everything we can to avoid the mistakes of the past and lay the foundation for a peaceful future.

That is the best way to honor those who were caught up in the chaos of Iraq. And it is the best way to turn the tragedy of this sixth anniversary into a time of hope for the people of the world.

REDESIGNATING THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY & MARINE CORPS

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

Mr. JONES. Mr. Speaker, I want to thank my colleagues in the House, from both parties, for joining me as cosponsors of H.R. 24, legislation to redesignate the Department of the Navy to be the Department of the Navy and Marine Corps. As of today, this legislation has 100 cosponsors.

Mr. Speaker, this is the right thing for the Congress to do. For the past 7 years, the language of this bill has been part of the House version of the National Defense Authorization Act. And this year, I'm grateful to have the support of Senator PAT ROBERTS, a former Marine, who introduced the same bill in the Senate, S. 504. With his help, I'm hopeful this will be the year the Senate supports the House position, and we can bring proper respect to the fighting team of the Navy and the Marine Corps.

It is important to remember: The National Security Act of 1947 defines the Marine Corps, Army, Navy and Air Force as the four services. It clearly indicates that the Marine Corps is a legally distinct military service within the Department of the Navy. The Navy and Marine Corps have operated as one entity for more than two centuries, and H.R. 24 would enable the name of their department to illustrate this fact.

Mr. Speaker, I would like to share part of a 2006 editorial published by the Chicago Tribune which describes what that legislation is really all about. And I quote the editorial, ''no service branch shows more respect for tradition than the United States Marine Corps does, which makes it all the more ironic that tradition denies the Corps an important show of respect, equal billing with the other service branches.'' They are the words that were in the editorial in the Chicago Tribune. But sometimes it is good to break with tradition. The War Department, for example, became the Department of Defense after World War II. The Army Air Corps was elevated in 1941 to the Army Air Forces, and in 1947 to the autonomous Air Force.

The Marine Corps has not asked for complete autonomy. Nothing structurally needs to change in their relations with the Navy which has served both branches well. The Corps only asks for recognition. Having served their Nation proudly and courageously since colonial days, the leathernecks have earned a promotion.

Mr. Speaker, the marines who are fighting today deserve this recognition.

Before closing, I would like to show you what this change could mean to

the family of a fallen Marine. Mr. Speaker, on this poster is an enlargement of a copy of a letter that the Secretary of the Navy sent to a Marine Corps family. The Marine was killed for this Nation serving in Iraq. And I read from the letter from the Secretary of the Navy, and I will point out that the head of the letter says, ''the Secretary of the Navy, Washington, D.C.,'' with the zip code, November 18, 2008. ''Dear Marine Corps family, on behalf of the Department of the Navy, please accept my very sincere condolences on the loss of your loved one.''

Mr. Speaker, if this becomes reality this year, should this be a requirement, if any more of our Marines are killed in Afghanistan and Iraq, the letterhead would say, ''the Secretary of the Navy and Marine Corps, Washington, D.C., Dear Marine Corps family, on behalf of the Department of the Navy and Marine Corps.''

Mr. Speaker, that is what it is all about. This is one fighting team, and the name should carry equal, Navy and Marine Corps. And with that, Mr. Speaker, before I close, I will ask God to continue to bless our men and women in uniform. I ask God to place in His loving arms, to hold the families who have given a child dying for freedom in Afghanistan and Iraq. And I close by asking God to continue to bless America.

DISPELLING THE MYTHS OF HEALTH CARE REFORM

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

Mr. MURPHY of Connecticut. Mr. Speaker, as we begin a potentially transformational debate about health care this year, I think it is critical that we start making policy based on facts and empirical data, rather than anecdotes. Currently, our Nation's conversation about the future of health care is a little sloppy when it comes to backing up interesting stories with actual data. The result is that dozens of myths both about our own health care system and about that of other countries with systems of universal care have become so dangerously prevalent as to risk becoming accepted truth.

So, I thought it might be useful for the next few months to try to come down to this floor and dispel some of those myths and to put hard cold facts back on the table as we begin to move forward with a better way of providing health care for this country.

□ 1700

So let's start with this. Over and over I have heard the health care reform skeptics tell stories about people that they know or that they have heard of living in Canada or living in England waiting for care, who had to wait weeks or months or maybe even years to get to see a doctor or to get to have a procedure done.

Every time I hear these stories I think to myself, ''Well, they are right; that one person probably did encounter that type of resistance from the system.'' But then I also think to myself that it doesn't matter, because in this place we need to make policy not on anecdote, we need to make policy based on true, real, aggregated data.

So I think it is time that we started talking about this idea, often promulgated by menacing stories of people waiting in other countries for a necessary surgery, that a health care system run or overseen by a public entity comes automatically with unreasonably long wait times for care. The fact is not only is that idea a myth, but the very idea that our own health care system delivers the speediest care in the world might be an even bigger myth.

So here are the facts.

Mr. Speaker, a Commonwealth Fund study of six industrialized nations showed that the U.S. actually ranked fifth out of six in patients reporting that they could receive a same day or next-day appointment for an immediate medical problem. We were behind New Zealand, Great Britain, Germany, and Australia, just in front of Canada. In fact, the difference between us and England was astonishing, especially because many of the stories that you hear about wait times come from the British system.

In England, 71 percent of patients receive a next-day appointment for a nonroutine or emergency care visit. In the United States, that number is 47 percent. That means, in other words, that more than half of Americans when they believe that they have an immediate need to see a doctor have to wait at least 48 hours to get in to see that physician.

Here's another fact. A study by the Institute for Health Care Improvement cited in a recent speech by a medical director of a large U.S. insurer showed that, on average, Americans are waiting nearly 70 days to see a health care provider. That same medical director noted that many people who are diagnosed with cancer are waiting over a month to get in for their first appointment for care.

Compare that to Canada, a country with a system of universal health care most often cited as having unreasonable wait times. Canada's national statistics agency reports that its citizens are now waiting about 3 weeks for elective surgery, a week less than many people in the United States are waiting for cancer treatment. And today in Canada, there are no wait times for emergency surgery.

Now as Paul Krugman points out, it is true that across the board, Canadians do wait longer for nonelective surgeries. For instance, in one case, the facts back up the claim that hip replacement and knee replacement surgeries happen more quickly in the United States. And, in fact, there probably are people from Canada traveling to the United States to get those procedures done. But you know who pays and schedules those procedures here in the United States? You guessed it, the government. As it turns out, in America's government run health care system, Medicare, which pays for those hip replacement and knee replacement surgeries, wait times aren't really that much of a problem.

The fact is, there is ample evidence to dispel the myth that Americans don't wait for health care, and those in government-run systems do. And when we looked at the Canadian, which in some cases does have longer wait times, we need to remember this: In Canada, they are spending about half as much money on a per capita basis as the United States. If they spent 1 percent more of their GDP, they could eliminate their wait times.

The bottom line? Stories about people waiting in lines for health care in other countries are just that; they are stories.

The facts, on the other hand, dispel that myth. We wait for health care, too. Mr. Speaker, health care reform is our chance to fix that.

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.)

AIG BONUSES

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

Mr. MORAN of Kansas. Mr. Speaker, I rise this evening in the House in strong opposition to AIG's recent payments to employees in the form of bonuses. I can't believe that this conversation is even necessary. The handling of these bonus payments by AIG's management is an insult to the people who are ultimately paying for them, the American taxpayer.

I believe that good business behavior and superior professional performance should be rewarded. That's the way the market system works and should work. People that are good at their jobs should be recognized. Compensation bonuses awarded to certain AIG employees do not fall into this category of recognition. The American people own 80 percent of this company, yet 73 individuals employed by AIG received a bonus of at least $1 million each.

The CEO of AIG today here on Capitol Hill called the bonuses ''distasteful.'' I can tell you that Kansans have a much more colorful description when they are telling the story about these bonuses. Their outrage stems from a series of corporate actions, actions that have steadily eroded our Nation's confidence in the competency of Wall Street and the business community, and the Federal Government's response

to these business conditions. And the mortgaging of our children's future is especially damning when news of the bonuses arrives like it has this week.

When the Troubled Asset Relief Program was first laid out, Members of Congress were assured that this would be a benefit to the public and would make a difference not only in the short term, but especially in the long term.

For many reasons, I did not support the initial bailout, including my belief that there were few taxpayer safeguards within this legislation. Recent actions on the part of AIG only confirmed what I feared. Troubled businesses—and I think this is what is happening here—troubled businesses were not forced to change their failed practices. Instead, they were given a lifeline, and they are beginning to pull us under with them.

Kansans ask only to have an opportunity to earn a paycheck and make a living. Most Americans realize that bonuses are awarded if and when their employer is profitable and successful. AIG is neither. It is not fair, it is not right, and it ought not happen.

I ask my colleagues in the House and the Senate to pursue all methods of recourse against companies that flaunt the will of the American taxpayer. But it is not just AIG we should blame. Congress passed this legislation without timely consideration. We rushed to judgment. In many instance, we violated principles that we know work, principles of an economy. And our actions as a Congress that passed this legislation allowed AIG to pay these bonuses. Shame on AIG and shame on Congress.

By demanding accountability and some commonsense from those businesses that are being assisted, Congress may finally begin to get it right, and the taxpayer may finally be protected.

CONDEMNING SHIPMENTS OF NUCLEAR WASTE ACROSS THE SOUTH

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

Mr. FALEOMAVAEGA. Mr. Speaker, on March 6, 2009, two ships named the Pacific Pintail and Pacific Heron left the port of Cherbourg in France bound for Japan. The total cargo onboard the purpose-built ships amounts to 1.8 tons, or 1,800 kilograms, of plutonium mixed-oxide nuclear fuel, which according to Greenpeace, is enough to produce 225 nuclear bombs. Scheduled to arrive in May, the shipment is to travel via the Cape of Good Hope, the Southern Ocean, the Tasman Sea between Australia and New Zealand, and the southwest Pacific Ocean.

The latest shipment of plutonium mixed-oxide nuclear fuel is part of an ongoing process involving several major countries in Europe and Japan, whereby Japan usually supplies spent fuel from commercial reactors in return for MOX nuclear fuel from Europe. Using a procedure known as reprocessing, plutonium and uranium are extracted from highly radioactive products contained in the spent fuel. Most of the extracted plutonium, along with the nuclear waste, will eventually be returned to the country of origin.

Mr. Speaker, this latest shipment of MOX fuel complements earlier shipments of spent fuel, about 170, from Japan to Europe. As usual, plans for this latest shipment, the largest so far, were covered in shrouds of secrecy, without prior consultation or notification of en route states. Yet any action involving the ships or their cargo could have catastrophic consequences on the environment and the populations of en route states. Moreover, with the increasing threat of piracy, the transported plutonium MOX fuel could easily fall into the hands of terrorists.

This unnecessary and unjustifiable shipment provides another example of the unacceptable risks and adverse impact the use of nuclear power and nuclear materials have on the environment and the lives of those involved. It demonstrates once again the best example of arrogance and imperialistic behavior of some major countries at the expense of others.

In 1995, I accompanied Mr. Oscar Temaru, the current president of French Polynesia, on the Greenpeace Warrior, which took us to Moruroa to protest French nuclear testing. At the time, while the world turned a blind eye, the newly elected president of France, Jacques Chirac and the French government broke the world moratorium on nuclear testing and exploded eight more nuclear bombs at the Pacific atolls of Moruroa and Fangataufa in Tahiti. Adding insult to injury, President Chirac stated that nuclear explosions would have no effect on the ecological environment.

Mr. Speaker, history shows that for some 30 years the French government detonated approximately 218 nuclear devices at Moruroa and Fangataufa atolls in French Polynesia. About 10,000 Tahitians are believed to have been severely exposed to nuclear radiation during French nuclear testing.

Our own U.S. Government contributed to this grim history of nuclear testing in the South Pacific. Indeed, one may argue that it was the nuclear testing program in the Marshall Islands that set the precedent for France to follow suit and use the Pacific Islands as testing grounds for nuclear bombs. Between 1946 and 1958, the United States detonated 67 nuclear bombs in the Marshall Islands, including the first hydrogen bomb, or the Bravo shot, which was 1,300 times more powerful than the bomb that was dropped on Hiroshima. Acknowledged as the greatest nuclear explosion ever detonated by the United States at the time, the Bravo shot decimated six islands and produced a mushroom cloud 25 miles in diameter. It has been said that if one were to calculate the net yield of the tests conducted by our government in the Marshall Islands, it would be equivalent to the detonation of 1.7 Hiroshima nuclear bombs every day for 12 years.

Mr. Speaker, such was the magnitude of the devastation that threatened the Marshall Islands. In addition to the annihilation of the surrounding environment and ecological system, the U.S. nuclear testing program exposed the people of the Marshall Islands to severe health issues and genetic irregularities for generations to come. It was so serious that we had to move our nuclear testing program, this time conducted underground in the deserts of Nevada. What happened was that this nuclear cloud that came from the Pacific Ocean went as far as Minnesota and Wisconsin, with contaminants later found in milk products coming out of Wisconsin as well as Minnesota.

Mr. Speaker, something needs to be done about the shipment of this nuclear waste from Europe to Japan. I sincerely hope that my colleagues will help me develop legislation.

Mr. Speaker, on March 6, 2009, two ships named the Pacific Pintail and Pacific Heron, left the port of Cherbourg in France bound for Japan. The total cargo onboard the purpose-built ships amount to about 1.8 tonnes (1800 kilograms) of plutonium mixed-oxide (MOX) nuclear fuel, which according to Greenpeace, enough to produce 225 nuclear bombs. Scheduled to arrive in May, the shipment is to travel via the Cape of Good Hope, the Southern Ocean, the Tasman Sea between Australia and New Zealand and the southwest Pacific Ocean.

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This latest shipment of MOX fuel complements earlier shipments of spent fuel, about 170, from Japan to Europe. As usual, plans for this latest shipment, the largest so far, was covered in shrouds of secrecy without prior consultation or notification of en-route states. Yet, any accident involving the ships or their cargo could have catastrophic consequences on the environment and the population of en-route states. Moreover, with the increasing threat of piracy, the transported plutonium MOX fuel could easily fall in the hands of terrorists.

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Moruroa to protest French nuclear testing. At the time, while the world turned a blind eye, the newly elected President of France, Jacques Chirac and the French government broke the world moratorium on nuclear testing and exploded 8 more nuclear bombs at the Pacific atolls of Moruroa and Fangataufa in Tahiti. Adding insult to injury, President Chirac stated that nuclear explosions would have no effect on the ecological environment.

History shows that for some 30 years, the French Government detonated approximately 218 nuclear devices at Moruroa and Fangataufa atolls in Tahiti. About 10,000 Tahitians are believed to have been severely exposed to nuclear radiation during French nuclear testing.

Our own U.S. government also contributed to this grim history of nuclear testing in the South Pacific. Indeed, one may argue that it was the U.S. nuclear testing program in the Marshall Islands that set the precedent for France to follow suit and use the Pacific Islands as testing grounds for nuclear weapons. Between 1946 and 1958, the United States detonated 67 nuclear weapons in the Marshall Islands including the first hydrogen bomb, or Bravo shot, which was 1,300 times more powerful than the bomb dropped on Hiroshima. Acknowledged as the greatest nuclear explosion ever detonated by the U.S., the Bravo shot decimated 6 islands and produced a mushroom cloud 25 miles in diameter. It has been said that if one were to calculate the net yield of the tests conducted in the Marshall Islands, it would be equivalent to the detonation of 1.7 Hiroshima nuclear bombs every day for 12 years.

Such was the magnitude of the devastation that threatened the Marshall Islands. In addition to the annihilation of the surrounding environment and ecological system, the U.S. nuclear testing program exposed the people of the Marshall Islands to severe health issues and genetic irregularities for generations to come.

Mr. Speaker, at this critical point in our history when the global community is confronted with tough decisions concerning energy resources for future generations, it is important to remind ourselves of the lessons of the past.

I am inspired by President Obama's recent decision concerning the storage of nuclear waste in Yucca Mountain, Nevada. In cutting funding to the Yucca Mountain project, President Obama made good on a campaign promise. But more significantly, he reignites the debate on a controversial issue: how to move and store the Nation's radioactive wastes?

To understand the President's recent decision, I am reminded that as a U.S. Senator in 2007, he then wrote in the Las Vegas Review-Journal that "states should not be fairly burdened with waste from other states." Moreover, "every state should be afforded the opportunity to chart a course that addresses its own interim waste storage in a manner that makes sense to that state."

From the above statement, one may infer that President Obama's decision to terminate funding to the Yucca Mountain project underlines the high risks and danger involve with the storage and transportation of nuclear wastes and nuclear materials.

Mr. Speaker, I believe a similar framework should apply to the international treatment of nuclear waste and nuclear materials. Each nation should be responsible for its own interim waste storage and avoid shipments of nuclear waste and nuclear materials across oceans and territorial waters of other nations.

I support a moratorium on all international shipments of nuclear fuel and nuclear waste until the international community has in place an agreement to ensure the protection of our oceans and the environment, economy and population of coastal and small island states. Such an agreement should include prior notification and consultation of en-route states before shipment of all hazardous and radioactive materials, environmental impact assessments, a satisfactory liability mechanism and protection from terrorism attacks.

Until such system is in place, Europe, Japan and all nuclear states, should keep their nuclear materials and waste in their own backyard, and not endanger the lives of others.

[From USA Today, Mar. 17, 2009]

RESPONSIBILITY? YUCCA CHOICE SQUANDERS $8B INVESTMENT

We usually applaud politicians who keep their campaign promises, but one we were hoping President Obama would forget was his pledge to end the 22-year effort to build a nuclear waste repository inside remote Yucca Mountain in Nevada.

Like it or not, the nation needs nuclear power as a carbon-free bridge to a future in which wind, solar and other options will power computers and TVs and charge plug-in hybrid cars. It makes sense to dispose of spent nuclear fuel in a single place instead of at more than 100 nuclear plants around the country, where it is now. Yucca was the presumed central location until the president's "new era of responsibility" budget would eliminate virtually all funding. Never mind that environmental objections to the project have long seemed strained and the logic for going forward strong.

Now the government has to find some other way to fulfill its contract with nuclear utilities to take the waste off their hands. Since 1983, the government has levied a fee on every kilowatt hour of nuclear-generated electricity—guess who's been paying that, ratepayers—to finance a national disposal site. The feds have collected about $30 billion and spent almost $8 billion on the Yucca Mountain site. So much for that investment.

During the presidential campaign, candidate Obama said he wanted no new nuclear plants until there was some place to store the waste, a stance that seems ominous now that he's killed off the only central disposal site. When we asked the Energy Department if that means no new nuclear plants until there's a successor to Yucca Mountain, we got a carefully hedged non-answer: "The president remains committed to resolving key issues including nuclear waste, non-proliferation and plant security."

Yucca's demise shouldn't be an excuse to delay new nuclear plants. Storing spent fuel at existing plant sites is a second-best solution, but it's a safe enough stopgap until the nation agrees on a permanent disposal site. Once spent fuel has cooled enough to move, it's typically stored outdoors in steel pods that weigh 100 tons or more, emitting little radiation and virtually impossible to destroy or steal.

The president and the nuclear industry now want a group of experts to convene to decide what do next. An idea to revisit is reprocessing spent fuel, which President Carter banned out of security concerns that seem much less compelling 30 years later. Reprocessing allows fuel to be re-used and shrinks the ultimate amount of spent fuel—but what's left still has to go somewhere.

One potential site is in New Mexico, which in the past decade has quietly accepted more than 7,000 shipments of radioactive material from the nation's nuclear weapons facilities and buried them in a salt bed almost half a mile below the desert in the southeastern part of the state. By law, the Waste Isolation Pilot Plant can't accept spent fuel from nuclear power plants, but some state officials have agitated for a second facility there as a backup for Yucca. It might be an alternative worth pursuing.

Killing Yucca is a big political win for Senate Majority Leader Harry Reid and other Nevada lawmakers who've long opposed the storage site. But that victory empowers not-in-my-backyard politicians in every state to dig in their heels. And, whether it's waste dumps or wind farms or oil refineries or air routes, they do—the national interest be damned.

When Obama lifted the ban on stem cell research last week, his press secretary said the president made it clear that "politics should not drive science." Unfortunately, that's exactly what happened here.

YUCCA PLAN POSES 'GRAVE' RISK

(By Harry Reid and John Ensign)

We applaud President Obama's bold decision to scale back the budget for the proposed Yucca Mountain nuclear waste dump. Permanently ending the project is right not just for our state but for our entire country.

The peril of storing 70,000 tons of the nation's toxic trash just an hour's drive from Las Vegas rightly worries Nevadans, and all Americans would face a grave threat from this bad idea.

The reasons for ending the taxpayer boondoggle are plentiful: supporting data that relies on flawed science; estimated costs of nearly $100 billion; and the egregious error of burying waste that could, with American innovation, be less dangerous and even be turned into energy.

The Department of Energy's plan to store deadly nuclear waste at Yucca ignores even the most glaring facts, such as the major earthquake fault lines running across the storage site. Many Americans are unaware that DOE concedes that water will flow through the dump, eventually carrying radiation into Nevada's groundwater.

Yucca Mountain, simply put, is bad policy that is wrong for America.

America still needs a scientifically sound and responsible policy to deal with nuclear waste. More taxpayer money dumped into the Yucca Mountain project is more money wasted that could have been invested in securing waste on nuclear plant sites in dry casks, while researching new technologies such as reprocessing. There are solutions.

That is why we are working together and with our colleagues on bipartisan legislation to form a commission exploring alternative approaches. The Obama administration and the nuclear energy industry have expressed support for reviewing our nation's approach to nuclear waste so we will no longer be stuck with the current failed policy.

Forming such a commission would be only a first step away from Yucca Mountain. It's an important and necessary step, though. The effort will require input not only from our nation's foremost authorities on nuclear energy and nuclear waste, but also from policymakers, environmental experts and public health and safety advocates.

The time is now to put Yucca Mountain to rest and work together to deal with nuclear waste concerns while also protecting the health, safety and security of all Americans. We look forward to working with President Obama and all stakeholders in resolving our country's nuclear waste issues.

The SPEAKER pro tempore. Under a previous order of the House, the

gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

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

CHARGING WOUNDED VETERANS FOR TREATMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) is recognized for 5 minutes.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, can you believe that President Obama wants to start charging wounded veterans for their treatment?

Our first Commander-in-Chief, George Washington, once said, ''The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive the veterans of earlier wars were treated and appreciated by their country.''

Taking care of those who have sacrificed for our Nation is, I believe, our sacred duty. It is a national promise that goes back to Presidents Washington and Lincoln. President Obama actually acknowledged this during his campaign when, on the floor of the Senate on April 10, 2007, he said these are soldiers who fought in World War II, Korea, Vietnam and Iraq. They made a commitment to their country when they chose to serve, and we must now keep our commitment to them.

I could not agree more with those words. But in the meantime, as we all know, he was elected. Yesterday, we learned that President Obama plans to move ahead, despite what he said on the floor of the Senate, and start to charge veterans private insurance for the treatment of combat-related injuries.

Let no one be mistaken that the President's plan breaches the moral responsibility the Commander-in-Chief owes to veterans wounded on the field of battle. It is a breach of our national promise, and we should not let this stand. The proposal is outrageous and beyond belief. The men and women he proposes to charge are those injured on the field of combat. These are people who sacrifice not only their sweat and tears, but their flesh and blood so the American dream can be protected.

□ 1715

Mr. Speaker, what must the average American think? Just recently, the criminals at AIG received hundreds of millions of dollars in bonuses paid by the taxpayers. Is the President now seriously considering balancing a $1.7 trillion deficit on the backs of veterans? To do so would be a great insult to anyone who ever wore the uniform of this great country.

LEADING THIS COUNTRY OUT OF THE ABYSS

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

Mr. COHEN. Mr. Speaker, I was pleased to read that President Bush made his first address since he left the Office of President yesterday in Canada. President Bush said that he loved his country more than he loved his party, and he wished President Obama success. I thought that was really telling. President Bush, while I differed with him on many policies and many of his initiatives, I always felt he was a good and decent person. And I think what he said showed that in many ways he is.

I wish that the people on the other side of the aisle, rather than coming here and constantly bringing up false information about our current President, wishing him ill will—which of course Rush Limbaugh has done, the leader of the other side, and others, like former Vice President Cheney, who came out for television on Saturday and had some statements that were very inappropriate for a former Vice President to make this quickly after he has left office. There is a certain time when Presidents and Vice Presidents should go back to their private lives, maybe practice shooting, and learning how to shoot in a proper direction and not jeopardize their friends, and do other things, but not necessarily take shots at the new President of the United States and not claim that the American public is less safe, which is not in any way true. As my colleague here from Kentucky has well spoke in a 5 minute recently, the other side of the story and the full side of the story showed history that we are safer.

But the bottom line is, President Bush said he wished our country well, his country came before party. And it gets tiring to be here and hear the other side take shots and shots and shots and hoping they can win in 2012 and take back this House in 2010 rather than working for the American public and the American government.

We are at a very critical time, caused by years of lack of regulation and deficit spending, wars that we didn't need to be into, loss of life and monies, and lack of regulation that Mr. Paulson was responsible for in giving AIG this money, and in many other ways, without regulations and restrictions on benefits. And President Obama has had to deal with that.

I support our President. And I am proud to be a Member of this Congress trying to lead this country out of the abyss of which it seemed to be heading at the end of this last term.

I am also proud to join in a few minutes with my fellow sophomore Majority Makers, Mr. KLEIN of Florida and Mr. YARMUTH of Kentucky. We're called the Majority Makers because we did take this Congress in 2006 back, but it was after 12 years of Republican control in the House and Senate, 1994 to 2006, and a Republican administration that caused the deficit problems, caused the budget problems, caused the economic crisis. We plan to bring it out.

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.)

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

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

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

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

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

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

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

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

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

(Mr. ROONEY 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 New Jersey (Mr. SMITH) is recognized for 5 minutes.

(Mr. SMITH of New Jersey 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 Georgia (Mr. GINGREY) is recognized for 5 minutes.

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

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

(Mr. GOODLATTE 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 Washington (Mr. REICHERT) is recognized for 5 minutes.

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

IMPROVING ACCESS TO CREDIT FOR SMALL BUSINESSES

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

Mr. KLEIN of Florida. Mr. Speaker, this week, we took important action to address a critical issue in south Florida and around the country, to improve access to credit for small business owners.

Small businesses generated more than 70 percent of the new jobs every year for the past decade, and even beyond that. And they will fuel our economic recovery, both where I live in south Florida, and nationwide.

I recently visited Uniweld Products, a family-owned business in Fort Lauderdale. This small business has been operating for 60 years, yet because of the frozen credit markets has been unable to secure vital loans and has been forced to lay off a quarter of its workforce in recent months. The plan announced by the administration this week will help businesses like Uniweld access the credit they need to keep their doors open and to thrive.

I strongly support this aggressive and immediate action and look forward to continuing to work with entrepreneurs and community leaders in south Florida to support our small businesses as they lead our way toward economic recovery.

AIG, SMALL BUSINESSES, AND THE BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Florida (Mr. KLEIN) is recognized for 60 minutes as the designee of the majority leader.

Mr. KLEIN of Florida. Mr. Speaker, it is, once again, an honor and a privilege, as a Member of Congress, to talk to the Members of this House and the American people about the kinds of things that are on their minds right now. And we are doing so with a group of us who were elected in 2006 and have the opportunity, from all parts of the United States, to represent our great country and work toward the solutions that are necessary to get our country back on track.

I am joined by Mr. YARMUTH from Kentucky, Mr. COHEN from Tennessee, and a number of others.

What we are going to talk about tonight are a couple of things; and these are the things that really are a great focus to all of us. One is AIG. Another one is, of course, the small business initiatives that I was just discussing a few minutes ago and will discuss them in greater detail. And the third is the budget. The budget, of course, is the framework by which we govern ourselves as a country, the kind of money we put into our government, and the kind of resources and commitments that we take out.

And particularly at this moment in time it is absolutely essential that we are not only thinking about the short term, but we have a unique opportunity to think about the long term, about how we are going to put ourselves in a very, very strong position so that when we recover, we will have the best workforce, the best technologies, the best businesses, the most competitive environment to prosper for generations to come.

I am just going to start, if I can, with the gentlemen that are with us tonight and the gentlewoman from Ohio that is going to join us about AIG.

I have to tell you, it is hard to even imagine the kind of thought process that the people at AIG came up with in allowing these decisions to be made to allow the $165 million in bonuses to go forward.

Now, we understand that AIG is a large insurance company. They came to this government, under President Bush, and asked for a massive bailout. It was given to them once before, twice, and it is now at about $180 billion.

One of the frustrations I've had—even before we get to the bonus issue—is the fact that AIG operates in 100 and some countries around the world. It is a very, very large insurance company. By the way, the insurance part of it—which is regulated in the United States by our State insurance commissioners, as I understand there was testimony before a committee today—is doing fine. Those people who have AIG policies, those are policies that will stand, and that's all good.

Unfortunately, some very creative people did a lot of things that they are now telling us they didn't even understand and put at risk a massive—I think it's $1.3 trillion of resources and investments into what they are calling ''exotic'' investments. You have already heard the terms ''credit defaults,'' ''swaps,'' and a whole lot of other things. And it is just extraordinary that, when it comes to this—and we recognize this is a worldwide issue—United States taxpayers, they have already put a lot of money into this, but if this is such a calamitous risk—which it obviously is very serious—why is it that the hundred and some other countries that are also under this same calamitous risk if AIG were to fall apart, why aren't they stepping forward and putting some money on the table? Why aren't they putting billions of dollars into AIG to make sure it survives if that is such a necessary thing?

Obviously, I think all of us—Democrats and Republicans, American taxpayers—feel very strongly that, if we are in it, we understand what the risks are, but at the same time, everyone needs to be in it. And the rest of the countries, Europe and Asia, that have played in this also need to put some money on the table.

But more particularly, what really got under people's skin, rightfully so—it has certainly gotten under my skin—is this idea that bonuses that were committed last year are all of a sudden something that had to be paid in this last number of weeks. I don't get it. And I hear them say the story is, well, they were committed, they're contractual. We're going to get sued. Well, I heard a very interesting story today. One of the members of our committee, when Mr. Liddy was testifying, asked a question, well, it's very interesting, insurance companies, by definition—and I will just stereotype for a minute—their tendency, when a claim is made, is to say no; that is just the sort of business as it is. And they like to fight over it. Obviously many companies pay legitimate claims, but a lot of the strategy is they hire lawyers, and lawyers say no, and you have to sue them before you can get the money. Well, that seems to be the typical way many insurance companies operate. Why is it, in this moment in time, we are told by the executives of AIG that, well, if we don't pay it, we're going to get sued? Since when is that such a defense when that is their strategy normally? I would have said don't pay it, they don't deserve it, the American taxpayers' money needs to be protected. And if somebody is so upset about it and they think they have a contractual right, let them sue.

But the reality is—and I will just make it real simple—the reality is, if this is a performance budget—and presumably it's performance based on a successful company that has profits at the end of the year—and if this company can't even survive on its own without our taxpayer money going into it, that seems to be a pretty strong case to say there is absolutely no basis for a payment of a bonus to a group within an organization that is failing or is really not in a profitable position.

As Americans, we understand success. We reward success, as President Obama says. If a company is successful, the shareholders, I think, are usually very comfortable with rewarding the management for good work—to a point. But when you are failing, I mean, I can't imagine any company in the United States feeling real strongly; and if they are doing it, if I am a shareholder, I am not supporting that kind of deal.

I am a taxpayer like everyone else here. And I am not happy, I am outraged, like everyone else, about the fact that this money was paid. The good news is that this Congress is going to take action, Democrats and Republicans together.

Today, Mr. Liddy said, well, we have now put out officially to the people who received this to give it back, at least give half of it back. Well, I think many of us said half is not enough; we want the money back. If that money is necessary to get AIG back on track, that's what it should be used for. And I can obviously think of a lot of other very good purposes and places for that money to go if it's not AIG—how about the American taxpayers and our needs? But this is something that he proposed today.

Well, I think we are going to take a little stronger action. Members of Congress, tomorrow, are going to have the opportunity to vote on a bill which demands that either almost all the money or all of it be returned to AIG and to the American taxpayers. And if they don't want to do it, then it will be taxed at 100 percent or 90 percent. That way, we make sure that that money comes back. This is not a game, this is the real thing. This is serious business.

We all want to get our economy back on track. Obviously, we don't want any company to fail, but at the same time, we want fairness and justice. That is how we operate in the United States. And businesses, we want them to succeed, but when we are going to put taxpayer money on the table, there is a different set of criteria that have to be applied.

With that, I am going to shift it over to my friend from Kentucky (Mr. YARMUTH), who is the president of our freshman class—and we are now sort of in the second term. But he just has been outstanding, and as a businessman, really understands the principles that I have been referring to. Feel free to add your thoughts to this.

Mr. YARMUTH. Well, I thank my colleague.

It is a very interesting situation to me, not just a question of outrage, but also a question of mystery. Because for many Americans who are viewing this situation basically as a new situation, looking at it just from the last week or so when the news of these bonuses came out—and of course they've known about the huge amounts that the taxpayers have been paying to AIG to keep them from collapsing—now we know that the American taxpayer owns 80 percent of AIG. But this story started a long time ago.

Last Congress, I was a member of the Oversight and Government Reform Committee. And last fall, we had the opportunity to hear from the last two CEOs of AIG before the government takeover. And it was a fascinating and illuminating story because what we learned during those hearings last October was that, early last year, in 2008, the man who ran this exotic investment faculty operation in London, Mr. Cassano, had told the board of directors of AIG that his division, the Credit Swap Division of AIG, would not cost the company one dollar. Several weeks later, all of a sudden there's $5 billion in losses in his division. And as we know, subsequent events have shown that there were literally hundreds of billions of dollars of credit default swaps—which are basically bets on whether a certain obligation will be a valid obligation—but it was basically nothing but bets, and that this division had brought down a giant company.

□ 1730

Now, Mr. Cassano, it came out in testimony, was paid for his leadership, if you can call it that, of that division, $280 million over 8 years, $280 million over 8 years. And, strangely enough, in light of what we have learned recently, he had a contract which entitled him to bonuses of another $34 million.

Now, we don't know yet who the recipients of these bonuses that were paid last week are, but it would be fascinating to know if Mr. Cassano was one of those people because he had one of those contracts. One contract with someone who has been paid $280 million over 8 years was contractually due $34 million more when he had essentially brought down one of the 10 largest corporations in the United States and in the process cost American taxpayers as much as $180 billion.

So it's not just a question of outrage now since the American taxpayers are paying attention and the Congress is paying attention to the AIG situation and all of us are rightly outraged, but we have to look back and see the greed, the malfeasance, and the close to criminality that occurred in this corporate operation.

Strangely enough, when we spoke to those CEOs in the Oversight Committee last year, they really didn't understand anything that had been going on. And in their defense, they came on the scene when this operation had already been going, and I assume at some point it had been making AIG a fair amount of money. But they didn't know what credit default swaps were. They didn't know what all these collateralized debt obligations were upon which these bets were made. But they did know that all of a sudden this one operation that was kind of hidden from their view and developed this mystery about it because nobody except Mr. Cassano knew what was going on there, they knew that he had cost them their company and he had cost the American people an awful lot of money.

The great finishing touch on this story is that even after Mr. Cassano had been fired, he was still on AIG's payroll as a consultant for a million dollars a month, a million dollars a month. And the reason was nobody else knew what was going on in that division. They had to have the benefit of his knowledge, even though his knowledge had cost them their company.

So this is a story that didn't happen yesterday. It didn't happen on Friday when those bonus checks were issued. This is a story that is symbolic of what has gone on in this country over the last decade when greed and a lack of supervision and a lack of regulation have resulted in a worldwide financial crisis. So we can rightly be mad and we will take action tomorrow to rectify this situation with bonuses, but this, again, is symptomatic of a much deeper problem that this Congress both in the Financial Services Committee in the House, the Finance Committee in the Senate, and throughout government is going to be dealing with for a long period of time.

So I'm glad that we have the opportunity to talk about this crisis in accountability, this crisis in regulation, this crisis in supervision in our country because the American people deserve not just to have those bonuses returned to the taxpayers' accounts, but they also deserve to have an economy that is free of the insecurity that these types of situations bring.

So with that I look forward to hearing from our other colleagues.

Mr. KLEIN of Florida. I thank the gentleman from Kentucky.

And I certainly agree with you. When we think about investments, we think about the word ''transparency.'' And that is, as a small investor, if you buy a stock on the New York Stock Exchange or NASDAQ or whatever, you want to know as much as you can about that company. You want to make sure the information that's presented to you is real and that, if you're buying a bond, that the ratings services, Standard & Poor's and some of the other ones that have been before us, are giving an objective evaluation.

Something has gone wrong in the system, and it's a mood and sort of an inaction that has been bred into the last 10 years where we have gotten farther and farther away from responsible regulation. I hear people say we don't want more regulation. It's not a question of more or less; it's a question of the right kind of regulation that really focuses on what the investor wants to know. Whether it's an investor like my dad, who is 80 years old and he's depending on his stocks and bonds and smaller portfolio to take care of him plus Social Security, or whether it's a very sophisticated person, it's all the same point. And we have gotten away from that, and, unfortunately, these massive billions of dollars where people are making hundreds of millions of dollars on a transaction, something went wrong here because they were not regulated, and that's where we're really focusing the attention now. It's going to take some smart people collectively, not just Members of Congress but also the public to work together to get this right.

I thank the gentleman for those comments and that introduction.

Now I would like to turn it over to the gentleman from Tennessee, who's

going to share with us some of his thoughts on this.

Mr. COHEN. I appreciate the opportunity to join my colleagues and particularly to follow my colleague from Louisville, which my basketball team, Memphis, also follows as the second team in the ESPN coaches' poll, Louisville being first. That won't last for long for the tournament starts and we're all on an equal footing and Memphis will once again be first, as they have been in many people's minds.

This situation with AIG is just hard to fathom that it could come about. When we had the Six for '06 when we started this Congress, we had six laws that we wanted to pass, and one of them was the minimum wage. And the minimum wage had been impossible to pass through 10 years of a Republican-controlled Congress. We increased that minimum wage for the first time in 10 or 12 years, and I think it was 12 years, where people making just $5 and $6 an hour were getting a very small increase, and this was done over the horror of certain people in business. And now we hear of people who are making $6.5 million bonuses in a year when their company lost money and would have gone bankrupt but for the bailout by Mr. Paulson and President Bush and have basically taken the financial economic situation in the country and put it in great peril. Having gambled and lost and jeopardized the entire world economic structure, they paid themselves bonuses in the area of $1 million to $6.5 million. And it's hard to see the contrast in perspectives in this Congress and this country when certain people just want a minimum wage and others get away with millions of dollars in bonuses for doing next to nothing.

I had a man come into my office last week, and I had checked him out on the Internet beforehand, and his salary the previous year was about $2 million. He had a company where the stock had gone from $45 to $1.50, and he told me that he was working for nothing. I thought, well, that was noble. I said, ''Are you really working for nothing?''

He said, ''Virtually nothing. Look at what happened to my net worth.''

I said, ''How about your salary?''

He said, ''No, I'm taking my salary, but I'm taking less of a bonus this year.''

Well, I thought that was unbelievable. His salary is in the millions. He's taking less of a bonus because of the stock's going from $45 to $1.50. And he said it with a straight face. I'm sure he wasn't in favor of the minimum wage. And there's something wrong with this country where people who work 40-hour weeks can't get a basic minimum wage and other people who think they're the masters of the universe and who have almost destroyed this universe want to get millions and millions of dollars and particularly now from government-handed-out moneys to save businesses from going under.

Well, I'm on the Judiciary Committee, and in the Judiciary Committee, we had a bill today which we voted out which would give the Attorney General the power, in consultation with the Secretary of the Treasury, to recoup those moneys paid in the past and to stop those types of expenditures in the future on compensation to people who are part of businesses that have gotten extraordinary government relief, $10 billion or more in government support, and but for the government moneys they would be in bankruptcy and taking the theory of bankruptcy and the theory of the laws against fraudulent conveyances that all States have and limiting the amount of moneys that they can give out to their management employees to a very decent amount. And that law would allow that money to be recaptured and prohibited in the future from those types of individuals.

When you have a fraudulent conveyance, it's assumed that you're paying money to preferred creditors at the expense of others. In this situation when AIG went ahead and said they were bound by contract to pay their gamblers, that they did it because they were bound to, the fact is these were fraudulent conveyances and but for the government they'd have had no money to pay them and they didn't earn any bonuses. Now, they were retention bonuses. Some of the people have already left. I don't know why they'd give retention bonuses to people who lost, but that's what happened. And I am pleased that the Judiciary Committee voted the bill out. It will probably come to the floor next week. It's a new way to approach this and an opportunity for constitutional experts to come together and fashion this unique approach for an unusual circumstance.

We see the taxpayer and the American Treasury being raped, and in such a situation if it's criminal law, you allow for police to take extraordinary actions with either the use of deadly force or the opportunities to apprehend somebody about to commit a crime in hot pursuit. And I think what the Judiciary Committee is proposing and what the Congress is doing, in essence, is hot pursuit to stop a violent felony from occurring to our Treasury by people who are morally reprehensible in taking this money at this time.

I don't know if my colleagues have thought too much about it, but I suspect there are other companies who have been paid billions of dollars by AIG, as they revealed this week under pressure, that are paying bonuses to their executives as well. The old Merrill Lynch and whatever their successor name is now; Goldman Sachs, I believe they might have been paid. Other companies, the banks have been paid moneys, and they're probably paying out bonuses as well with taxpayer money that's gone through AIG, and we need to look at that as well. These companies also are getting government support, and I'm sure they're paying out bonuses. And the names of every single one of those individuals who've receive bonuses from any of these companies should be published. The head of AIG said they're not putting the names out because they're concerned about the safety of the individuals, but that ought tell you that what they did was wrong. Criminals don't want to be exposed to the public because the public would come get them in some type of personal posse. They would form their own groups, a posse comitatus, and come get them. And if they don't want to be revealed, obviously they did something wrong. If they did something good, they'd want to have their posters up and not in the post office.

So I'm proud the Judiciary Committee acted today, and I'm proud this House is going to act tomorrow. What's happened has made me, as one congressman, a representative of the people, extremely upset, and I had several thoughts about the French Revolution and what drove people to that. And if we were looking at this 200 and some odd years ago, we would have seen the guillotine being brought out because this is the type of thing that is absolutely revolting and it needs to stop. And I think there has been too much of this in our society where people just think that they are the masters of the universe on Wall Street. They've caused a cataclysmic condition. They've been rewarded for too long. And they have what is known in the Yiddish language as chutzpah, and we ought to call this the ''chutzpah act of the 21st century.''

I thank Mr. KLEIN for the opportunity to speak here on this floor.

Mr. KLEIN of Florida. I thank the gentleman from Tennessee. There are obviously some strong feelings on all of our parts here.

As we move forward, Mr. Speaker, if you would consider yielding the balance of my time to Mr. YARMUTH, I would appreciate that.

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Kentucky (Mr. YARMUTH) is recognized for the balance of the time as the designee of the majority leader.

Mr. YARMUTH. Mr. Speaker, it now gives me great pleasure to yield to my good friend from Iowa who served with me on the Oversight Committee last year and sat through many of those hearings and now serves us well on the Energy and Commerce Committee, Mr. BRALEY of Iowa.

Mr. BRALEY of Iowa. I thank my friend for yielding. And I want to remind my friend from Kentucky that I actually had the privilege of following him immediately during that hearing and questioning the CEOs of AIG. And I have to tell you it was one of the more shocking examples of corporate greed that I've ever heard in my lifetime, and I have lived 51 years in this country.

But I think one of the things that we've talked about is the reality that we as taxpayers now own approximately 80 percent of this company because of the investment that we have

made. So my recommendation to Treasury Secretary Geithner and President Obama is that we rename AIG to properly reflect and offer a lasting lesson to the American people of what happened here. I am going to recommend we rename this company ''Arrogance Inspires Greed'' because that is exactly what we learned on October 7, 2008, when we had a hearing in the Oversight Committee and got to the bottom of this problem.

So let's have a short history lesson of exactly what led this company into the crisis that brought it to the American Government for help.

□ 1745

We learned that the principal actor responsible for the demise of AIG was an employee named Joseph Cassano, and Mr. Cassano operated the London office of AIG, its Financial Products division, which was primarily the unit that sold credit default swaps that helped bring down AIG.

If you go back to the Presidential election, you may recall that CNN was running a feature during this time that had the 10 top villains responsible for the collapse of our financial system. The number one culprit that they identified was Joseph Cassano. Here's why.

Mr. Cassano, who was president of this division, was paid $280 million in cash during the last 8 years of his employment, far more than the CEOs of AIG made. The bulk of his money came from, guess what, a bonus program.

In fact, for every dollar that his unit made, Mr. Cassano and the executives who worked with him got 30 cents on the dollar, and this was a unit that was trading in trillions of dollars of credit default swaps.

To make matters worse, on February 28, 2008, AIG posted record losses of $5.3 billion. And the main reason for those losses was that Mr. Cassano's division had lost $11 billion.

So what did AIG do? Well, as a responsible corporate citizen, it fired Mr. Cassano. And the very next day it gave him a severance agreement that Mr. YARMUTH talked about, paying him $1 million a month and allowing him to keep that $34 million in uninvested bonuses.

So he was paid essentially, to do nothing, $1 million a month. So when we had this hearing in October of 2008, 6 months later, and these corporate CEOs who were in charge of the company during the period of time when he was receiving those payments were called to account for the conduct of this company, these are the questions and answers that I got.

The first CEO was Mr. Willumstad.

''Mr. Willumstad, let me start with you. As CEO of AIG, you had authority, until September 17, 2008, to cancel Mr. Cassano's consulting agreement for cause, but you never did that, did you?''

And his answer, ''No.''

Second CEO, Mr. Sullivan. ''As CEO for AIG during the period from March 11, 2008, when this severance agreement was signed between AIG and Mr. Cassano, through June 15, 2008, you had authority to cancel Mr. Cassano's consulting agreement for cause, but you never took that action, did you?''

His answer, ''That is correct.''

Think about that. The one person identified as the principal culprit for the financial collapse of this country and the global economy continued to receive $1 million a month after driving this truck off the cliff. It was shocking then, it's more shocking now, because the losses continued to mount.

And what the American people are demanding right now is justice by superior firepower, and we in the House and our colleagues in the Senate and the White House and the Treasury Department have to provide that firepower because the American people are demanding it, and they deserve nothing less. But there were a lot of things that came up during that hearing, and one of them we talked about was this philosophy that less regulation is always better.

Well, one of the things that came out during this hearing, and which 60 Minutes covered in two excellent stories, was that this giant credit default swap market, which at the time was estimated to be between 63 and $75 trillion, 90 percent of it was the same thing as what you and I would consider gambling.

So back in 2000, when they had a chance to get a handle on this and provide some type of governmental oversight, what happened? Well, they could have classified it as insurance and made it subject to insurance regulation in all 50 States, but they decided not to.

Then they could have decided, well, this is gambling. Let's make it subject to gaming regulations in all 50 States. They decided not to.

Well, it's kind of like a security. Maybe we should make this part of the Securities and Exchange Commission. They didn't because of this push against any form of regulation. So now, in 2009, we are sitting here with no effective oversight at the State or Federal level of this enormous credit default swap market.

That has to change, and it's part of the ongoing regulatory reform we are pushing in the 111th Congress. We have to do it, and we have to be smart about how we do it so we don't find ourselves in this position again.

I just want to emphasize justice by superior firepower. Congress has the responsibility to act.

Mr. YARMUTH. It was a fascinating hearing, and something that came up in that hearing was intriguing to me as well. One of our members early in the questioning period asked the two CEOs why the Treasury Department, under Secretary Paulson, had bailed out AIG and not Lehman Brothers, and they both said, well, we don't know, you will have to ask the Treasury Department.

And when it got to my turn to question, I asked them, I said, you know, I would like to ask you a similar question or related question, but maybe in a different fashion, what was the relationship between AIG and Goldman Sachs? And the reason I asked the question was because Secretary Paulson and many of the officials at Treasury had come out of the Goldman Sachs operation.

And they responded, as you will recall, Goldman Sachs was the counterparty with AIG on $20 billion worth of credit default swaps.

And until the last few days, AIG had been unwilling to tell anyone who their counterparties had been, and they did reveal last week, a list of many of them, and how much money they had been paid and Goldman Sachs had been paid 11 or $12 billion of this amount.

So what we saw was an incredible amount of incestuous dealings among these giant corporations who were out to, essentially, create wealth without creating value. And creating wealth, not for the American people, but creating wealth for these few people, these giants of Wall Street, these masters of the universe, who got into an operation that they really didn't understand. And now we are all paying the price for that.

There is a fascinating article that's in the current issue of Harper's Magazine by a lawyer out of Chicago. It talks about what he perceives to be one of the problems in our current economic situation, and that it was that over the last 20, 30 years, we have put more and more emphasis on the financial services aspect of our country as opposed to the manufacturing facilities.

And it all happened because we stopped paying attention to how much money you could make in the banking business, and we essentially did away with usury laws so that banks could earn 25, 30, 35 percent on their money on credit cards, and these exotic instruments where they could leverage their assets 30 and 40 times.

And because they were making these huge profit margins, they drew capital away from manufacturing to the financial sector, because there was no longer nearly the return available to capital in the manufacturing sector, and it was all in the financial services sector.

What we have seen as a result of that is, as has been mentioned already today, the greatest disparity in wealth between the rich and everyone else in this country in its history, and also, basically, an unsustainable and dangerous financial services sector, one that had gotten so big and created so little value that it jeopardized all of our society and our economy.

With that, I would like to yield again to my friend from Memphis, the runner-up in the last poll to my beloved Louisville Cardinals, Mr. COHEN.

Mr. COHEN. Thank you. I would like to ask a question of one of my colleagues. Either of you can answer it.

I know the hedge funds, and they are involved in all of this as well, and the

hedge funds folks were making enormous amounts of money, unfathomable amounts of money. They are taxed at capital gains rates, which is like, what, 15 percent instead of ordinary income, which a person on minimum wage is paying ordinary income. Of course, they are a lower rate, but still ordinary income.

Didn't we try to do something in the last Congress to try to change that taxing scheme of the hedge funds and find some problem and some pushback maybe from the administration? Do you recall that?

Mr. BRALEY of Iowa. I recall we had a lot of discussions about that as part of the ongoing debate about how to provide effective regulation to the broad scope of financial services, but I am fairly confident that no action was taken because of a lot of different reasons. But I think you have brought up a great point, one that came up at this hearing we had back on October 7. When I was in law school from 1980 to 1983, the insurance industry and the financial services sector was completely different than it is today.

One of the things that came out of the hearing was AIG's insurance business was very successful, which is why, even though they lost $11 billion in their London office, they only had a loss of $5.3 billion, because of the offsets from their insurance business.

But back in those days, most insurance companies were mutual companies. Their sole responsibility was to their policyholders.

And then we saw a lot of blurring of lines between various types of financial services providers. Why is that important? Well, in this case it's important because insurance companies, going way back to the McCarran-Ferguson Act, have had an exemption from antitrust oversight by the Federal Government.

And yet when you see companies that formerly limited their involvement to providing insurance products branching out into other types of financial services and vice versa, you get a lot of confusion. And then the big push, as my friend from Louisville mentioned, is returning profits to shareholders, not providing a conservative return on investments to protect policyholders.

So what happened is as continued deemphasis on regulation was part of the Federal approach to all of these products, we had things going on that were completely beyond the control of the average investor.

In fact, these CEOs testified during the hearing that their understanding of credit default swaps was, in fact, quite limited, which is a shocking thing when you think of how deeply this company that they were shepherding was involved in this one high-risk financial investment tool.

Mr. COHEN. Let me ask a question, too, of my colleagues. The hedge funds monies, I think that's something, I thought we had a proposal on it, and I thought it got passed through the House, I'm not sure, to raise that, but that was an issue that came up and maybe there was a problem in the Caucus as well on taxing the hedge fund folks at regular income.

That's something that needs to happen, because it's outrageous. The money that they make and then the monies that they are taxed on is such a low percentage.

There was a lot of deregulation. The banks were deregulated, the financial services, and banks got into doing different things than they used to be able to do in savings and loans. Do you believe that we need to go back to some of these types of regulations to get into a more conservative type of financial structure?

Mr. YARMUTH. I can tell my friend that one of the reasons no action was taken last year was the carried-interest provision, which is to what you refer. Also, it affects a lot of people who are developing apartment complexes and other things, so they are essentially individual businessmen investors who had formed partnerships, and they would have been affected by the same change.

And there was a considerable amount of question as to whether that was advisable, because we want to promote people to do apartment complexes and shopping centers and so forth. We couldn't quite figure out a way to make the distinction. But that was, I think, one of the main reasons we didn't take action.

But in reference to your question, and I think our colleague from Florida discussed this perfectly in his opening remarks, and that is it's not a question of whether we need massive regulation, or little regulation, we need the right regulation.

□ 1800

What we have failed to do over the last 20 years is to modernize our regulatory system in such a way that it took recognition of the very changing picture of business, particularly in the financial sector.

I think this Congress, and I know Chairman FRANK of Financial Services, I know the administration is very much concerned with reshaping our regulatory system. Again, not to overregulate the economy, but to make sure we have the right type of regulation in place, adapted to the current financial structure of the world, so that these types of situations don't reoccur.

I think that my colleague from Iowa also mentioned something that we really need to look into as a Congress and that is the whole question of our antitrust laws, and not just which industries are covered or not covered, but also what we can do and whether we should do something to in some way control the size of businesses because what we have seen in many of these cases recently is we have gotten businesses that are "too big to fail."

I understand that there is a worldwide economy and these companies have worldwide operations and there is somewhat of a limit as to what we can do, but we have not revisited the question of our antitrust laws and the size of corporations for some time in this country.

I think the American people would appreciate that conversation because they don't like being in a position in which they are virtually helpless when a giant corporation which yields no benefit to them—that they perceive, anyway—is able to affect their lives so dramatically.

Mr. BRALEY of Iowa. Would my friend yield for a followup?

Mr. YARMUTH. I would yield to the gentleman from Iowa.

Mr. BRALEY of Iowa. We have all sat here during this financial crisis and have heard over and over again from Treasury "this company is too big to fail." And I'd like to propose right now on the floor of the House of Representatives, the people's House, an exception to that rule, which is there are some companies that are too arrogant to save.

Here's an example of what I'm talking about. I'm going to quote to you—and I quoted this during the hearing on October 7. This is from a September 28, 2008, article of the New York Times. This was a comment made by the same Joseph Cassano who headed AIG's London office and who brought about this $11 billion first quarter loss that took them over the cliff.

Here's what he said when asked to respond to this financial crisis. He said, "It is hard for us," AIG, "without being flippant, to even see a scenario within any kind of realm of reason that would see us losing $1 in these circumstances." One dollar.

Then, apparently his math skills are somewhat lacking because he obviously earned a heck of a lot more than $1—$280 million over an 8-year period. That just shows the level of arrogance that these financial prognosticators have.

I'd like to throw this question over to my friend from Memphis. I remember when the Fed was trying to have discussions about what type of financial oversight was appropriate for these new financial devices called mortgage-backed securities and credit-default swaps.

Then-Fed Chairman Alan Greenspan was a firm believer in "just let the market regulate itself." In fact, that is what his recommendation was on credit-default swaps.

So then we saw this market grow to a $100 trillion-plus market with no Federal or State oversight. I guess we should be shocked that anyone would be surprised that we would find ourselves in this predicament.

Mr. COHEN. Well, thank you, sir. The SEC has a new leader—Ms. Mary Schapiro is her name—and I have confidence she's going to provide the regulation we need. In the past administration, the SEC was woefully understaffed, and I think when there were

whistleblowers, they weren't listened to. I believe, if I'm correct, there was a whistleblower on the Madoff Ponzi scheme, and there was a Ponzi scheme that was through Dallas, Texas, and in my city of Memphis with a company called Stanford Financial that has taken a lot of people's investments, claimed they were buying CDs in an island in the Caribbean—I think Antigua—and in fact they weren't doing it. A lot of people have lost all of their investments. A lot of people lost all of their investments with Madoff.

They were not regulated. And that is what the SEC needs to do, is have regulations on all these companies to make sure they're really doing what they say they're doing and to listen to whistleblowers and to have investigative staffs. Money invested in government in these areas can save people in the long run. There are people who wished we had spent that money because they're not going to have their monies, and if they don't have their monies, it's going to hurt the Treasury as well because they are not having to have money for spending.

I believe you're on Financial Services, are you not, Mr. BRALEY.

Mr. BRALEY of Iowa. That would be my friend Mr. KLEIN.

Mr. COHEN. A lot of people have talked about mark-to-market changes, and I think Mr. KANJORSKI talked about that today, and also on the uptick rule. Are these two changes that you think might come about soon? And, if they do, do you think they will be helpful in having a more fair and just and realistic perspective on the valuations and on trading in the stock market?

Mr. KLEIN of Florida. Would the gentleman yield?

Mr. COHEN. I yield.

Mr. KLEIN of Florida. Mr. COHEN, a couple of the issues are out there, and some of these are fairly technical but they are very important, actually, and for those people in banks, those people in real estate, financial service issues, one of the things that all of our small businesses know right now, and the people that own homes, the people that own real estate properties, commercial properties, is the banks are not lending enough.

There's some exceptions in there. But all I can tell you is when we had the eight large banks in front of our committee 2 weeks ago, we heard, Oh, we are lending here and billions of dollars here. That may have been to Fortune 100 companies. I understand that, and that's fine. But it was not translating down to our local communities.

I know in West Palm Beach, in Delray Beach, where we do business and things like that at home, it's not happening. And the short answer is: What can we and should we be doing.

The mark-to-marketing rule basically is a way that the regulators look at the bank's balance sheet and say that a certain asset is a certain value. And that works just fine when properties are going up in value. The problem is when there's really no market, when you can't sell a piece of property because nobody wants to buy it or finance it, they get written down to not necessarily zero, but something very insignificant.

And what that does is puts lots of pressure on the banks and their balance sheet and then they say, Well, we can't lend because our balance sheet looks so small. It's a chicken-egg thing between the regulators and the bank.

To make a long story short, there's common ground that needs to be found. It's not a question the banks shouldn't be lending. They should. And the regulators may be being a little cautious right now under the circumstances.

But there is a middle ground. I think we have to find it and crank it up quickly because whether it's mark-to-market or a few other regulatory issues, we want to make sure the regulators are doing their job. It doesn't mean stopping lending. But there are a whole lot of creditworthy borrowers out there that could borrow.

Many of you have small businesses. They're making their payments; real estate owners that are making their payment. They are current but they're saying: I can't get a term loan even though I am current because they are saying the asset value is so low.

So on a simple basis we need to find that middle ground. We are pushing hard to let them put this through carefully. Lend to the appropriate people. Don't lend to people that shouldn't be borrowing for homes or anything else. But do it the right way.

So we are working on that right now, Mr. COHEN, and hopefully in the next couple of weeks they will have some answers and get the banks moving along again.

Mr. COHEN. Thank you, Mr. KLEIN. It's an issue I've heard from a lot of brokers about what they think would help the stock market, but they also think that the uptick rule would require people that at least own some stock and to have a trade take place before they shorted it, and basically win by the economy losing.

That's not the American way. And it's what has happened in the stock market so much, and in other ways in the stock market. People have manipulated the market. Hedge funds have manipulated the market to destroy companies and to make money while they did it, and to become fabulously wealthy.

This is where regulation is so important. We haven't had regulation in this previous administration. The market didn't work. The market needs regulating because if you let people go unchecked, greed comes into play. We've seen the utmost of greed.

I think Mr. BRALEY's wonderful new AIG is something that will take fire.

Mr. BRALEY of Iowa. Will my friend yield for a followup comment, and then I want to yield back to Mr. YARMUTH on this point that I think is an important complement, with an e, to the regulation piece, and that is the whistleblower protection. Because one of the things that Mr. YARMUTH and I had a key role in was passing out of our Oversight Committee the Whistleblower Enhancement Bill of 2007. It was an enormously overwhelmingly bipartisan bill. It passed on the floor of this House with over 330 votes which, as all of us can tell, if you're not naming a post office, that is doing pretty good down here.

Unfortunately, it ran into obstacles in the Senate and did not get to the President's desk in the 110th Congress. And then Congressman CHRIS VAN HOLLEN, who's a Democrat, and Congressman TODD PLATTS from Pennsylvania, who's a Republican, had the brilliant idea when we were putting together some of this financial recovery legislation in the stimulus bill, let's put the whistleblower bill back in. We're putting a lot of money into the economy. We want to provide protection to Federal employees to report instances of waste, fraud, and abuse.

And it passed overwhelmingly here and it went to the Senate. One Senator decided that that was not appropriate, and it came out of the bill. I think the American taxpayers are fed up with the lack of accountability. They want people to be protected when they have the courage to put their lives and their careers on the line and stand up for American taxpayers.

That is why we had a press conference last week to reintroduce the bill as a standalone bill. I hope we quickly get it over to the Senate and I hope this time the Senate understands that the American people are outraged. They want us to be on their side to protect their hard-earned dollars. I think this is a critical component we need to push.

With that, I will yield to Mr. YARMUTH.

Mr. YARMUTH. I thank my colleague. One of the things that we have to continue to do is to remind the American taxpayer of what has happened, what brought us to this point. I know that right now our colleagues on the other side are trying to play political games and, all of a sudden, because of this new revelation about bonuses, they want to make this all a Democratic problem.

But, as all of us will recall, and I think the American citizens will recall, we were cruising along last year, knowing that we were in a little bit of financial difficulty. We knew that the foreclosures were up, we knew that the signs of the economy were not where we would like them to be, and that, for many Americans, those of us that had been in the trenches politically since 2006, knew a lot of Americans have been hurting for a long time, particularly middle-class Americans and hard-working families out there.

But all of a sudden, last September, out of the blue, seemingly, Secretary Paulson and Chairman Bernanke call

us all in and say, The sky is falling, and we are about to go over the cliff, and we need $700 billion to bail out these companies that are in severe difficulty.

I think the American people rightly were stunned, saying, Where did this come from? I think all of us were stunned because we didn't know where it came from.

And what we have found out subsequently is that in many of these operations like AIG, sometimes the CEOs didn't really know the depths of their problems.

I know we had hearings again in the Oversight Committee last Congress where we talked to, for instance, the rating agencies and some of the people who were involved in the measurement of risk and the analysis of risk, and even Chairman Greenspan, who said we had no way of assessing risk that involved declining real estate values.

All of the models they had built to assess the risk, whether it was Moody's or any of the rating agencies or, in this case, the Fed, said our computer models wouldn't accept negative growth in real estate. So all of a sudden the American people say, Whoa. Where did this all come from?

I think none of us really knew where it came from. And the reason we didn't know is because we had trusted the marketplace to be the salvation of our financial system. And, as we have seen, the marketplace that Chairman Greenspan worshipped, and others, was not capable of accounting for what happened in the real world.

So now we are cleaning up. We are trying to pick up the pieces. The American people are rightly dismayed that their government was not on the job. We have an opportunity now to show the American people that they can have confidence, not just in the economy, but also in their government. And that is the charge that I think all of us willingly accept.

I am very happy to be here tonight to talk about that and to be part of a Congress that is responding to a crisis that, basically, we didn't build, we didn't create, but we are more than willing to try to fix, because we owe that to the American taxpayer.

With that, I'd yield back to my colleague from Florida.

Mr. KLEIN of Florida. I thank the gentleman. I think you have summed it up exactly right, and that is the American people want answers. They want to make sure this doesn't happen again. It's unacceptable for there to be cycles where this happens; you clean up and it happens again. This is a very significant time for everyone, and the challenge is great.

□ 1815

So we are going to have to focus on them. And if I can, I will spend a last minute referencing the fact that we are now moving into the conversation about our budget for next year. But talking about the kinds of things that the American people are looking for, it is transparency and openness when we have a budget.

The last number of years, of which this group here has only been here 2 years, but the wars, which obviously we appreciate the work that our military did and all the rest of that, but 100-some billion dollars every year for the last number of years, not even on the books of the balance sheet of the Federal Government. Every year it is a supplemental budget. A supplemental budget is supposed to be when you have an emergency. God forbid you have a Katrina or something like that they didn't plan for. The war was there. It should have been planned for. It should have been accounted for.

And when you talk about a balanced budget, and all of us standing here today, we are fiscal deficit people. We are deficit hawks. We believe in it. I think every American does. It is common sense: You can only live within your means. And the Republicans didn't do it. The Democrats didn't do it in the past. But I think all of us together have got to get it right now. And it is going to take time. We inherited, unfortunately, a very difficult budget, and it is going to take some time to get through this. I think Mr. SPRATT who works with us, as well as President Obama, has got a lot of ideas. We are going to put them through the mix here, and I think we will come out with something. But, most importantly, it is an honest, open conversation.

The American people are smart people. They understand the process of building a budget. They do it for themselves every day around the kitchen table or in their businesses. And I look forward to the opportunity of working with everyone, Democrats and Republicans. There may be differences of opinion and priorities. I happen to personally believe that education and health care and energy, and making this country energy independent, is a very forward-thinking way of addressing the next generation of where we need to be. But we will get through that process. But the point of it is an honest, open process where the American people can understand all the debts, all the possibilities, all the opportunities to build a stronger country.

I will turn it back over to the gentleman from Kentucky.

Mr. YARMUTH. I thank the gentleman from Florida. We just have a couple of minutes left, so we will just have some concluding remarks from the gentleman from Tennessee and the gentleman from Iowa. I think this conversation has been a good one, and I am glad that they joined us for it.

I yield briefly to my colleague from Memphis.

Mr. COHEN. I thank the gentleman.

I just join with my colleagues in saying how much of an honor it is to have the opportunity to try to clean up this mess. And as I started earlier, President Bush is to be commended for saying he hopes this President succeeds. He puts his country before his party. And I hope that his colleagues and the members of his party will listen to him and not to his Vice President, who broke the code of silence before it should have been broken.

With that, I yield to the gentleman from Iowa.

Mr. BRALEY of Iowa. Well, the concluding remarks I just want to offer to the American people are, AIG is now a symbol of Arrogance Inspires Greed. That should be the lasting hallmark of this sad chapter in our Nation's history.

The other thing is, the American people expect us in Congress to provide justice with superior firepower. We have got a lot of intellectual firepower on both sides of the aisle, a lot of bright, creative people who have had diverse world experiences.

And to my colleague's reference about cleaning up, I spent a lot of time doing janitorial work putting my way through college and law school. I have got to tell you, I am excited to be here at this important moment in our Nation's history. We need bright, creative people with critical thinking skills, and together we will solve this problem.

Mr. YARMUTH. I thank my colleagues for their participation today. I look forward to our conversations next week, next Wednesday, and as we go through the year. It is a great honor for me to serve with so many thoughtful, dedicated Representatives.

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

THE ECONOMY AND GOVERNMENT SPENDING

The SPEAKER pro tempore (Mr. GRIFFITH). Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AKIN. Mr. Speaker, we have a number of interesting topics that we are going to be talking about tonight, and even a little bit of a challenge question for people who are feeling imaginative and innovative, and it is a strategic question about some votes that are coming up tomorrow on the floor. It should be very interesting.

Joining us first off this evening is my good friend, Congressman PITTS, who hails from Pennsylvania and has come up with quite a barrage of different colorful charts here. I don't know, it looks like some part of a critical measurement of somebody's life expectancy or what it is, so I am going to yield time to Congressman PITTS, who has been a Congressman for a long time, highly respected, from Pennsylvania. I yield the gentleman time, and I would like you to tell us a little bit about what you graphed here, because they are quite interesting.

Mr. PITTS. Mr. Speaker, I thank the gentleman for yielding. There is an old

saying that a picture is worth a thousand words. And I think sometimes, Mr. Speaker, pictures help explain some otherwise complicated situations, so I have assembled some data about the economy and government spending, and put them on charts to help explain some of the facts.

I think the overall emphasis is that there are economic consequences to what we do and what we say here in Congress. There are economic consequences to our taxation and spending, our budget policies. And I would just like to first explain some of the colors on the chart and go through them.

On the chart you see red and blue lines. The colors here indicate which party is in control of Congress. So where you have red, that is the control of Congress in both the House and Senate is Republican. So you have here and here in these years Republican control. Where you have blue, that is both chambers being controlled by the Democrats. Where you have the slanted marks, you have a divided Congress. So here, the House is Democrat and the Senate is Republican; and with the smaller lines, you have the House Republican and the Senate Democrat. And we have a range of years here from 1977 to 2009.

At the bottom, you can see President Carter here from 1977 to 1981, and then Reagan, and these white dash marks show the range of the terms of the President.

Mr. AKIN. Reclaiming my time. I think what you are saying is you are really putting a whole lot of information in one picture. Aren't you?

Mr. PITTS. That is correct.

Mr. AKIN. The white dash lines are transitions in terms of the Presidencies.

Mr. PITTS. That is correct.

Mr. AKIN. The blue color represents the Democrat color; the red is the Republican color; the hash marks is a mixed bag, you have got Republicans in one body and Democrats in the other. So now you have got basically a whole timeline going, what is it, close to 20 years or so?

Mr. PITTS. That is correct.

Mr. AKIN. Go ahead. Proceed.

Mr. PITTS. Thank you. If you look at how the market, for instance, reacts, here is the Dow Jones in yellow over this period of time. It is going along real nicely here until it hits the red section, and then you see it move sharply up. The Dow goes sharply up. You have a divided legislature. And, to be fair, you had the dot-com collapse and 9/11, as well as the switch of Jeffords to make the divided Congress. It goes down. And then you hit the red, it goes sharply up. As long as President Bush is there to veto any of the proposed tax changes that the Democrats in this Congress proposed, it goes up.

Mr. AKIN. Reclaiming my time, gentleman, it sounds like to me this is stock market advice that you are offering today. What you are saying is if you see the Republicans in charge of the House and the Senate, then go buy some stocks. Is that what you are trying to tell us?

Mr. PITTS. No. I am saying that markets basically react to rhetoric; and that on-again, off-again tax cuts, that rhetoric about tax increases affect the market dramatically in a negative way, and you can see this drop here.

This second chart is unemployment, which is sort of a mirror image in the strong periods and in the weak periods with the recessions. The next charts are the budget deficit and job growth. So if you look at these yellow bars here, these are the budget deficits. Notice under President Obama this deficit here, $1.752 billion, this bar. That is more than all of the 8 of the previous administration, under Bush, combined.

Mr. AKIN. Reclaiming my time, that little yellow line is so close to the edge that the first time I saw that, I just about missed what you are saying. This looks like some sort of science fiction thing. Let's go through it.

If you add up the yellow bars between those two sets of dotted lines, which represents the 8 years of the Bush years.

Mr. PITTS. That is correct.

Mr. AKIN. And that President Bush was being beat up because the Republicans were spending too much money. Now, was that true?

Mr. PITTS. That is true. I remember when they were attacking him for $250 billion deficits. Now, we have a $1.7 trillion.

Mr. AKIN. I voted against a lot of that spending. But now reclaiming, and taking a look at that chart, what you are saying is if you add up all of those Bush deficits together, how does that compare to that huge jump that you see this year?

Mr. PITTS. The deficit of $1.752 trillion is more than all of the previous 8 years combined.

Mr. AKIN. More than all 8 years of Bush. You add all of the 8 years, and you are saying in this year—is this 2009?

Mr. PITTS. That is correct.

Mr. AKIN. You are saying that, in 2009, we have more deficit we racked up than all 8 years of Bush?

Mr. PITTS. That is correct. I could have really scared you and showed you the proposed deficits in the future, but I only have this year's proposed deficits.

Mr. AKIN. My heart might not handle that.

I notice we have been joined here by Congressman ROONEY from Florida, who is bringing a little bit of southern perspective on these charts.

I yield to Congressman ROONEY.

Mr. ROONEY. Thank you, sir. I appreciate the chart, first and foremost, because what I wanted to jump in and tell you is that we have been joined by some children in the chamber. This past weekend, I had the opportunity to go camping with my kids in Central Florida, and it all sort of dawned on me and hit me at once, as we are now referred to as the party of ''no.''

When you see a chart like this and you see what these children are about to face and what my three young sons, who are 7, 5, and 2, are about to face, why we are the party of ''no.'' And we heard recently from the other side as they were here and how outraged they were at AIG and how outraged they are at some of the things that are going on, this is why we vote ''no.'' This is exactly the reason why. We have to stand by our children and not saddle them and put on their backs what you are displaying on that chart there, sir, so that we can keep our financial house in order and allow it to translate to them an America that is better than we inherited.

We are on the cusp, as one of my friends in Florida likes to say, of being the first generation of Americans that leaves to their children an America that is worse off than what we received. That is all on us.

So we can sit here all day and talk about how outraged we are at AIG and what has happened with these bonuses being paid out that was agreed to and voted on by this Congress, even though a lot of us on the Republican side voted ''no,'' to be called the party of ''no'' and to see this, and now to hear the Democrats say they are outraged by what has happened.

Mr. AKIN. What just occurred today made it pretty obvious why we needed to be saying ''no'' to that big porkulus bill; because it had, just as we knew it would, all these little things hidden in it. We are going to be talking about that. We are going to be talking about some of the things that were hidden in it that were just announced on ABC News just recently.

We have also been joined by a doctor, we have increasingly a number of doctors in this Congress, the good Dr. CASSIDY from Louisiana.

I yield time to Dr. CASSIDY.

Mr. CASSIDY. Thank you. It is interesting, as you are talking, two things occurred to me. You mentioned how taxes have the ability to create uncertainty.

Now, if we just take this, not from the nationwide but bring it down to a family in Louisiana. This new budget is going to tax oil and gas exploration. Well, it turns out 90 percent of oil and gas is done not by ExxonMobil but by small wildcatters, if you will, and these folks employ about 320,000 people in my State in petrochemical. Now, these are great jobs. These jobs give benefits. They allow people to pay their mortgage. They are not service level in that sense, but they are jobs of the type that you can raise a family.

So earlier we heard our Democratic colleagues speaking about our need for energy independence, and I am struck. I am new here, so I don't quite understand it.

We want energy independence. We want to create good jobs for working

folks with good benefits, help the uninsured, but at the same time we are penalizing a domestic energy industry, which cannot move because it is domestic, which is helping our energy independence and which is creating these jobs.

□ 1830

Mr. PITTS. Would the gentleman yield?

Mr. CASSIDY. Yes, sir.

Mr. PITTS. I serve on the Energy and Commerce Committee, and we are having hearings every week. We had one today on the proposed new proposals, cap-and-trade they call it, of the Obama administration. Now in a time of economic uncertainty, families and small businesses have to conserve. They have to be more efficient. They have to save. They have to be a lot more frugal. This is not the time to massively expand the Federal Government.

We should be doing what we are supposed to do in a more frugal way, a more efficient way. And yet the new administration is proposing vast new proposals in the area of government-owned health care, in the area of cap-and-trade, which is a tax on all energy use in the United States.

Mr. AKIN. Reclaiming the time here. I recall standing not very far from where I'm standing right here on the floor of this House and hearing the President make a promise. And I felt good when he made the promise. He said, ''I'm not going to tax anybody who is making less than $250,000.'' And I sort of slumped back in my chair and said, ''well, at least he missed me.'' Now we are talking about cap-and-trade. And what he is going to do is he is going to increase the energy costs on every household across our country. It doesn't make any difference how much money you're making. If you're using electricity or burning fuel, you're going to get zapped. And the average is $3,000 per household. When you see that big yellow line, that just isn't a big old line on a graph. We are talking about families in America in all of our districts getting saddled. And this is just one proposal. This is just ''cap-and-trade.''

Mr. PITTS. Will the gentleman permit me to speak here? The cap-and-trade proposal really has eight taxes on energy. And the President is proposing to raise $646 billion with this new cap-and-trade regime. So this big line here, the deficit here, which makes all the other deficits look small in comparison, is reflecting these massive new government programs. In the stimulus bill we passed—not we—but the Congress passed, the creation of 31 new Federal programs and an expansion of 73 existing programs. This is massive government spending. That is what is reflected in this.

Could I just point one other thing out, Mr. Chairman?

Mr. AKIN. Certainly.

Mr. PITTS. There is a good lesson in here. Do you see these 4 years right here when the Republicans controlled the House and Senate? Speaker Gingrich was here. I served on the Budget Committee with John Kasich of Ohio. And because the Republicans in Congress worked with President Clinton—Clinton deserves some credit, and we deserve some credit—we balanced the budget 4 years in a row. We had four consecutive balanced budgets and paid down the public debt 4 years in a row.

Real bipartisanship works. This phony bipartisanship of wanting us to come in at the last minute and vote for something without having any bipartisanship in creating the bill, in crafting the bill at first, that will not work. Real bipartisanship is good for the country, not calling us in and trying to buy off three votes at the end. I yield back.

Mr. AKIN. The gentleman from Florida, Congressman ROONEY.

Mr. ROONEY. Sir, I appreciate your saying that, because as I stand here with my colleague, Dr. CASSIDY, as a fellow freshman, I do believe that when we came up here after campaigning recently, what the American public, or at least my constituents, were expecting, was the bipartisanship that you are talking about. And I have to tell you, it is the biggest disappointment from taking the oath of office and starting as a congressman, that that is just not reality. I don't know if that is how it has worked. Obviously, it has worked in the past. But that is not what we are getting now in this Congress. And it is an extremely disappointing, eye-opening phenomenon that unfortunately we have to endure.

I just want to expand a little bit on what the gentleman was talking about with regard to the $250,000 on top of what you are talking about with cap-and-trade, or cap-and-tax, as some people like to call it, with the people that are going to have to pay the $3,000 per household to afford the energy costs that cap-and-trade will bring. But the $250,000 cannot be dismissed without first realizing you're talking about the small business owners. The people who in my district employ five, 10, 15 people, they have told me that if they have to incur more taxes, because they are doing their taxes right now, if they have to incur more taxes, they are going to have to lay people off. So even if you don't make $250,000, you are going to be affected by this tax increase because you might be one of those people that the people making $250,000 lays off.

So I think it is important that the spending, the taxing, and now obviously the borrowing that we are having to incur is just the wrong recipe, as I said before, for the future of our country.

Mr. CASSIDY. Will the gentleman yield? It is a little bit ironic because I actually think our hopes are bipartisan. Our hopes are that we create jobs for the American people. Let's give it to our Democratic colleagues. They felt like spending this $1 trillion dollars is actually going to stimulate jobs.

Now, as I listened to you, Mr. PITTS, speak about your committee, John Marshall's quote occurs to me, ''the power to tax is the power to destroy.'' I think our function here is actually to connect the fact that we share that hope for more jobs. But our fear is this tax, which is being justified by this deficit spending, will destroy. It will destroy these kind of jobs that we have in Louisiana for folks who may not go to college, but nonetheless are earning $70,000 to $80,000 a year and sending their kids to good schools with good benefits. And we are going to destroy it in the name of creating new jobs. When I was running for office, Congressman ROONEY, that was backward logic: Let's destroy in order to save.

Mr. ROONEY. If the gentleman will yield. And the question that you have to ask yourself, say that there are jobs created, and certainly there may be short-term jobs created. But what happens when the money runs out? You either have to pass another stimulus bill to keep those jobs or the small businesses are going to have to absorb those jobs. But if they have to incur increased taxes, they are not going to be able to do so. So whatever jobs are created through the current stimulus are a flash in the pan. And we are seeing there are a lot of things in that stimulus that we don't like so much, like bonuses for AIG. That is why we voted ''no.'' And we are criticized for doing that. But it was the right thing to do. I think that in the end, with what you're saying, Dr. CASSIDY, is that there may be a short flash in the pan for jobs, but it is not the long-term jobs that this country needs.

Mr. CASSIDY. The thought also occurs to me that obviously the jobs that are created that do have long-term benefit are created by those small businesses. And so the thought occurs to me, someone said, a commentator of some sort, it is good that the stimulus package is going to have people hire two more, say, police officers. That is good. It helps safety on the street. But two more police officers does not create 10 more jobs. On the other hand, if we can enable that small business, that small business will create 10 more jobs. So, again, it just keeps echoing in my mind, ''the power to tax is the power to destroy.''

Mr. AKIN. Reclaiming my time. We have shifted the topic here just a little bit. But I think it is very important. And you're making excellent points.

What I'm hearing is we are talking about taxes. Let's just talk a little bit about an average guy that has a small business, because 70 or so, depending on how big you call a small business, 70 or 80 percent of the jobs in America are in small businesses. So let's talk about the average guy in a small business. First of all, most of them are making or have a $250,000 income. So starting right off the bat, we are going to tax these guys, because they are the rich guys.

Mr. CASSIDY. And gals.

Mr. AKIN. They are the ones making over $250,000. So first off, we are going to tax the very source of 70 percent or 80 percent of the jobs in America. Then we are going to whack them with a tax on energy, first in their own home, but then in their businesses. Depending on if it is a small job, it may or may not be an energy dependent kind of business. So we are going to hit them again. Then we are going to hit them again by allowing the dividends and capital gains tax cut, which very much helps small businesses, and the death tax, all that is going to be allowed to expire. So now we are going to whack them the third time.

After you get done beating them and beating them and beating them, then what we are going to do is spend money like mad on government programs, which the gentleman from Pennsylvania's chart is showing is unprecedented, we are in uncharted waters, so we are going to vacuum all the liquidity out of the economy so it makes it harder for the small businessman to get a loan and make an investment.

Mr. PITTS. When we talk about $250,000 adjusted gross income, you're talking about a lot of small businesses who may be what you would call ''asset rich but cash poor.'' They may have assets in building, lands and equipment. But that is where they put their profit. That is where they put a lot of their money. They are just not walking off with $250,000. They are small businesses that are investing in their businesses and creating jobs. So, we should keep in mind that government cannot create wealth. It is the American people. It is the entrepreneur. It is the small businesses that have to do that.

However, government can hinder economic growth. With flawed policies, flawed tax-and-spend policies, borrowing, spending and taxing too much, we can crowd out the private sector. So that is important to remember as we look at the impact of these proposed new taxes. But that kind of rhetoric, on-again off-again tax cuts, tax increases they talk about, creates uncertainty in the market. So you will see people not investing, not risking their capital, and holding back in uncertain times.

Mr. AKIN. Basically there are a bunch of people that are old geezers like I am. I'm a baby boomer. And you have saved money for years and years and years, and all of a sudden half of your money is gone because of the entire economic crisis which is a result of these kinds of socialistic policies which say that we are going to give loans to a whole lot of people that couldn't afford to pay, and we created this entire loan crisis. The loan crisis then spreads to the rest of the economy. So now you have people who are not very eager to be putting money into small businesses because they just lost their life savings on the stock market. So what they are going to be spending money on is gold bricks to stick under their pillow or other kinds of things. But they are not going to want to take those risks.

We have been joined by my good friend from Ohio, Congressman LATTA. Welcome to our discussion.

I yield time.

Mr. LATTA. I thank very much the gentleman for yielding. And I appreciate your having this very important discussion this evening. I have been sitting here listening to the other gentlemen this evening. I have been having what we call ''courthouse conferences'' in my district. What I have been doing is I have been going around the district. We go to two counties a day when we are not in session. We are there from about 8 o'clock in the morning to about 12:30 in one county, and then 1:30 to 6 in another county, and I meet with constituents almost every 10 minutes.

What you have been talking about is on the minds not only of your constituents, and your constituents in Pennsylvania, but constituents across this country. And I will tell you, the question on their minds is about jobs. And it is about saving that wealth that they tried to accumulate, as you said, in their 401(k)s and their IRAs. They are worried about the Federal spending that is going on out there.

You're absolutely right. The small-business owners are the ones that are creating the jobs in our area right now. A lot of people think it is the big corporations. No. It is not. It is those smaller companies.

I sit across the table from these individuals. They look you in the face and they say, ''do you know what? I'm not sure how I am going to keep my doors open. We are having a liquidity problem. We are having a problem where we are losing our orders.'' But there is one thing that they all say. They all say the same thing: ''I feel a responsibility to the people I hire. How am I going to look those people in the face in a few months? I have 20 employees or 30 employees. And I have to start laying these people off. These people not only work for me, but they are part of my family now. They live down the street from me.''

You're absolutely right. We are going down that road of ruin. It was not that long ago, back in the Carter administration, when we saw interest rates in this country go up to 21 percent. And what did that do? As you said, Federal Government does not create any wealth. We consume wealth. It is that small entrepreneur out there that creates the wealth for this great country of ours. So when we watch what happened back in the Carter administration, it is not that long ago that you couldn't go down to the local bank and get a mortgage. You couldn't get a loan. I started practicing law back in those days. We had to do what they call ''laying contracts,'' where the seller actually had to do the financing for the buyer because there was no money.

I will tell you, the last thing we want to see in this country is interest rates going back to 21 percent. I remember, though, you could get a money market at that time, you could get a 14 percent return on your money. But if you are paying 21 percent, you're in the hole.

So not only the folks back home in northwest and north central Ohio are scared, but people across this country. They tell us, ''here we are in our businesses cutting back. We are trying to scale back in every possible way that we possibly can. But what's the Federal Government doing?''

□ 1845

They just see us with the $700 billion bailout last fall for the financial institutions. And then they find out about AIG and the big pay outs. And they ask how about the stimulus package, how is that going to help me? How is the $75 billion on the mortgage bailout going to help me? What is going to be in it for me with the $410 billion omnibus. And as the gentleman talked about, we might be talking about another stimulus package. Who is going to pay for it? You are absolutely right, the generations to come are going to be paying for it.

Mr. AKIN. I yield to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. This fourth chart shows the job situation. Above the line is job growth; and below the line is job loss by month. You can see when Reagan or Bush inherited a recession, when they passed these tax cuts, they stimulated tremendous job growth.

For instance, in 1981, the capital gains tax was reduced from 28 to 21 percent, and the revenue rose by 325 percent in 6 years.

In 2003, you remember that under President Bush, when we reduced the capital gains, revenue rose 159 percent in 5 years. So this tax policy stimulates the formation of capital and directly affects job growth or job loss. Our tax policies have real economic consequences.

Finally, the last chart. The President talked about gyrations in the stock market. So I took this last year from February 2008 to March 2009, and here is where the President Obama was inaugurated. I put up several things we considered in the Congress. The rebate checks, the housing bailout of $300 billion, the Fannie Mae and Freddie Mac bailout of $200 billion. You remember the $700 billion bailout we passed, look at how the market dropped after that. Here is election day. Here is the auto bailout. Here is the stimulus bill, a $787 billion stimulus bill, look at the market drop. The $410 billion omnibus bill, look at the market drop; and now the proposed $3.6 trillion budget. What we do here has direct economic consequences on the market and on job formation.

Mr. AKIN. Reclaiming my time, there are two general theories going way back in our past in America about what do we do when we start into a recession. One of the theories was started back in FDR's day back in the 1930s.

We started into a recession, and there was a guy, Henry Morgenthau, and he was the Secretary of Treasury under FDR. He had the idea that we will spend a whole lot of government money, which will stimulate demand and get the economy going. People today still talk about stimulating demand by a whole lot of government spending. That guy's name was Henry Morgenthau. So how well did it work? He was joined in that theory by a little fellow by the name of Lord Keynes; a strange fellow. Because of his name, we called it Keynesian economics. And so at the end of 8 years of a tremendous level of government spending, Henry Morgenthau meets in the U.S. Congress in the Ways and Means Committee, and there is a quotation I have which says, ''We tried spending. We spent and spent, and it doesn't work.'' This is a guy whose theory it was you have to spend a whole lot of money. He said, ''It didn't work, and unemployment is as bad as it was 8 years ago. And what is more, we are tremendously in debt.'' The Japanese tried it in the 1970s, and it didn't work for them.

So what is the other theory than this Keynesian idea, the theory you are talking about, sometimes called supply side. JFK, who is obviously a Democrat, did a significant tax cut, and the economy improved. Ronald Reagan, another almost 20 years beyond him, did the same thing. You get this big kick, and then what you are showing there is President Bush. So this has been done a number of times.

The one thing I regret, and you could have assumed from your chart, was that every tax cut is going to produce this improvement to the economy. I think the facts of the matter are it is not every tax cut, but certain specific tax cuts, particularly targeted, as the gentlemen that were guests before were talking about, toward what is going to affect that small business. So the tax cuts that really work are things like dividends, capital gains tax, death tax, and things along those lines because those allow the small businessman to have the liquidity to invest in his own company, and that is what really works.

So it is not like Republicans just say no. It is just what we are saying no to is an absolute runaway train of government spending.

We have been joined by the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I want to thank my friend from Missouri. I think what you have been showing really is something that people around the country have been seeing for the last 2 months. They have realized what this change really means in terms of policy because ultimately what the markets are reacting to, what people are reacting to when they are at the water coolers is not just the rhetoric because the rhetoric during the campaign sounded really good. It was hard to disagree with people saying we need to be fiscally responsible.

But when somebody says we need to be fiscally responsible, which I agree with, and then they present a budget which is $1.7 trillion out of balance, the largest deficit in our country's history, not just spending at record levels, dangerously record levels, but also adding $1.4 billion in new taxes, I think that is at the point where people said, Wait a minute, this wasn't the change that I envisioned. This wasn't what I was promised.

The American people were told that 95 percent of the people in this country won't pay a dime in new taxes. And then they see this energy tax, this cap-and-tax proposal by the President, which literally would increase the taxes that people pay on their electricity bills. Anybody and everybody in this country who has an electricity bill will see at least a $1,300 a year, and the newest reports that are just coming out as they are factoring more of these changes, this budget that just got filed, the revised estimates are showing over $3,000 per family in America in new energy taxes.

When people see this, they are saying, Wait a minute, that's not what you told me. That wasn't the change I was envisioning when you told me only the top 5 percent, people making over $250,000 would pay more. Not that it is a good thing to play class warfare, and I think that is the danger of class warfare that we are seeing. And your charts reflect what is happening because the markets continue to drop each time more of these proposals come out.

We have been having hearings now in committee for the last 3 weeks on this energy tax proposal, and not only will every American in the country see now roughly a $3,000 increase per year once this is effective; and, hopefully, it will not be effective. This bill still hasn't passed. These bills just got filed 2 weeks ago, and the American public is starting to digest it.

I think the AIG scandal that just erupted in the last few days shows people what the fine print really means. When that stimulus bill that the President said that we needed to rush through, didn't want to give anybody in Congress a chance to read the fine print, those of us who voted against it, and I know everybody talking tonight, the reason we are here tonight is because we opposed those bad policies because we knew it was bad policy, not because we want to be against or for.

Mr. AKIN. Reclaiming my time, gentleman, you have moved into a subject that I definitely wanted to get to tonight. I think this is something that our other congressional friends who are joining us tonight, and others, perhaps, would want to understand because this is an extremely exciting juncture really where we are timewise today and tomorrow.

I want to recreate what happened here on the floor less than 2 weeks ago. First of all, we voted for a measure that said when this great big bill, this supposedly stimulus bill, which I somehow call ''porkulus'' bill, when it comes out, we will have 48 hours to read the thousand-plus pages so we have some idea what is in this bill. And everybody on this floor voted that we would have 48 hours to have time to look at what was in this bill. It was $700-plus billion. We are talking about enough money to buy at the rate of—I think of big things because I am on Armed Services, you could buy at the average cost 250 aircraft carriers with this much money that we don't have. And we only have 11 in our country.

Mr. PITTS. If the gentleman would yield, we have to borrow that money. That is all borrowed money, $787 billion. When you add the interest on that, that amounts to about $1.1 trillion, the price tag of that one bill.

Now President Obama said right before we voted that we are in a crisis and we must pass this stimulus bill immediately or we may suffer a catastrophe. That is the kind of rhetoric that scares the market. We need to stay away from the rhetoric of fear and panic and disaster and catastrophe, a lot of which has been used to pass these bills. That bill you are referring to was 1,174 pages long. It wasn't put on the web until after midnight. The next morning at 9:00 we were debating and voting on that bill. Not one Member had a chance to read that bill. That is legislative malpractice.

Mr. AKIN. Reclaiming my time, so what happens? We vote for 48 hours, the bill comes along and we are supposed to have 48 hours, and we get a copy of it at 11:30 Thursday night; 1,100-plus pages, more than a thousand pages, as you said. So we get a copy of it. And, of course, we have lots of staffers sitting around at 11:30 just waiting for the bill, right. The next day what do we do, we vote on the bill.

Now of course what happened was the Republicans voted ''no.'' There was talk about we are going to have transparency and we are going to have bipartisanship on the floor. Republicans asked, Hey, I thought we had 48 hours? Do we have any way to get our 48 hours?

The answer was: No, we are going to vote on it.

We didn't like that, partly because of the tremendous cost of it, and also because what is hidden in those thousand-plus pages? That brings us up to today.

Where we are today is we find that hidden in this bill in conference, put in according to ABC by Senator DODD, was an amendment that says that the executives from AIG insurance company, and a lot of them live in his district, that those executives can keep their $165 million in bonuses. Now the public is upset about $165 million in bonuses, and I can't say that I blame them. But on the other hand, they should be even more upset. It is not just millions, you have to look at that letter, it is billions or trillions.

I yield to the gentleman from Pennsylvania.

Mr. PITTS. I have a copy of that press account that occurred yesterday. It was ABC News. Jonathan Karl reported this: ''Last month the Senate unanimously approved an amendment to the stimulus bill aimed at restricting bonuses over $100,000 at any company receiving Federal bailout funds. The measure, which was drafted by Senator OLYMPIA SNOWE of Maine and Senator RON WYDEN of Oregon, applied these restrictions retroactively to bonuses received or promised in 2008 and onward.'' But then the provision was stripped out during the closed-door conference negotiations involving House and Senate leaders and the White House, and a measure by the Senate banking chairman, CHRIS DODD of Connecticut, to limit executive compensation replaced it with an 11-page amendment. DODD'S measure explicitly exempted bonuses agreed to prior to the passage of the stimulus bill.

That should be investigated. That is the news story you are talking about.

Mr. LATTA. If the gentleman from Missouri would yield, I think the real question is where is this taking us? As the gentleman mentioned, $1.1 trillion, and the American people and the folks in my district are saying this: $1.1 trillion, what is this all adding up to?

Right now, this country is $10.6 trillion in debt. By the end of this fiscal year, this country is going to be $12.7 trillion in debt; $12.7 trillion.

And it hasn't been very long, when you start looking at the figures, in 1979, the national debt of this country was only $129 million. We went to $2.8 billion in 1989, and it started going up. But when you start looking at the totals, the thing that really concerns me is not only are we building this debt up, but we have a $1.75 trillion deficit. The real question is: Who is buying this debt? Who is buying this debt?

□ 1900

Right now, we have a $3 trillion debt that we owe to foreign countries and governments, $727 billion is what we owe the Chinese right now—they are our largest debt holders—and that is not counting what they own in Fannie and Freddie, which takes them over $1 trillion of our debt.

What is happening in this country is, we are going to not only have problems in this county trying to pay this back, but we also have a problem in this country, we have a situation where we are trying to say, in our foreign policy, who is going to start dictating it, us or our debt holders? And that scares the living daylights out of me.

Mr. AKIN. Reclaiming my time, when you start talking about debt, the public understands one thing; you have a bunch of executives who have run a company into the ground, and then they're picking up $165 million in bonuses for doing it, and out of the pockets of the U.S. taxpayer. The one thing is if you think people are mad now, if $165 million bothers them, when they start looking at the billions and trillions that are being wasted with no transparency at all, they are really going to be getting mad.

We are also joined, I see, by my friend, Congressman SCALISE from Louisiana. I will yield to the gentleman.

Mr. SCALISE. As we complete the thought that we've been talking about, these were all things that didn't just happen by accident. This was in legislation. We are not talking about the previous administration. The word ''inherited'' seems to be thrown around a lot here. The same people that support the death tax seem to be trying to say they inherited every problem that exists. And there sure is blame to go around from people in years past, but we don't have time to talk about the past. What we do have time to talk about is what is happening today.

In the stimulus bill that everyone here tonight is talking about, these problems and the ramifications throughout the country, throughout our economy, with what is happening with these policies, this was in legislation that was passed by this President. Just 3 weeks ago, he signed that stimulus bill that he himself pushed through Congress, said it had to be pushed through at record speed, didn't want to have the accountability and the oversight. And so Congress literally, in 2 weeks, spent a record amount, $800 billion, that we all voted against because we knew it was bad policy. But the President said we need to act soon, and this is all critical to getting our economy back on track. I mean, look at the details.

Mr. PITTS. Will the gentleman yield?

Mr. SCALISE. Yes.

Mr. PITTS. I know the public might sometimes be confused by all these bills we talk about. There was a $700 billion bailout bill; there was a $787 billion stimulus bill; there was a $410 billion omnibus bill—the one that had the 8,500 earmarks that he signed last week that just funds the government for the rest of this year; and then now we have this proposed budget of $3.6 trillion.

Now, the gentleman from Ohio was talking about the Chinese owning $726 billion of our debt. You know, I met with a Chinese delegation last month of officials from China, and the first question they asked me was, Congressman, is America abandoning the free market system? I mean, the world is watching this. And they have expressed some hesitancy about buying more of our debt. I think when we go on the market with $2 or $3 trillion in treasuries this year to fund our budget, we are probably going to have to raise interest rates on those notes, or else we're going to have to print money. We are going to feed inflation. At the end of this year, I am afraid we are going to see inflationary pressures that is going to impact every consumer, just like the energy tax.

Mr. SCALISE. Reclaiming my time, and what you're talking about is something that we are already starting to see; it's problems that happened in the 1930s during the Great Depression. And unfortunately, it seems like history is repeating itself because we are seeing that, now that countries are saying we're concerned about this level of debt that America is going into, families across this country are concerned about this level of debt.

It seems like, in Washington, that this liberal leadership is the only group that wants to go on this wild spending spree. The good news is it hasn't all happened yet. Some of it has. That $800 billion stimulus bill that we talked about that didn't do anything to stimulate our economy that President Obama signed, that bill that had the language that protected AIG's bonuses that we're all outraged about—and it is kind of ironic when you see those people feigning their anger and saying those people are getting these bonuses, $160 million—that I agree is offensive; the problem is, they put the language in. This President signed that bill that protected those bonuses.

The record is clear. You can go back and look at it. And I think my friend from Missouri actually pointed out the chronology of how that got thrown in, airdropped in in that final report.

I yield back.

Mr. PITTS. You said wild spending spree. I really think this is by design. I think they are exploiting the financial crisis to move their political agenda and tuck into these big spending bills—that they are not permitting anybody to read—all of these issues that we are now reading about, like repealing welfare reform, that worked well, that the Congress passed back in '96. Now there is an incentive from the Federal Government to the States, 80 percent match for every new welfare recipient you add.

Mr. AKIN. Reclaiming my time, I like to get right up because we are talking about something that has been happening today. This is on the news. I think this is a very interesting kind of scenario.

So what happened a couple of weeks ago was, first of all, you had this tremendously expensive bill which was called stimulus—that I call porkulus. It came along. We were promised we would have 48 hours, we did not. It came to the floor. The Republicans voted ''no'' on the bill because it was way too much money, but also, we didn't even have a chance to know what was in it. But who did know what was in it? Well, certainly, according to ABC, Senator DODD knew that he had allowed these executives from AIG to have this $165 million in bonuses for shipwrecking their company. Now what we have going on is we find out in testimony today that the administration knew that that was in the bill; obviously they would have probably had some people scan it before the President signed it.

So now that the President, the administration, was aware that this was in the bill, that the executives were

going to get their $165 million, that it was put in there by a Senator—who, by the way, had a loan for 3 percent on his home, who also got more money from AIG than any other Congressman. AIG gave him over $100,000 in 2008. The only second-place contender was the President. So the President and the Senator both received over $100,000 from AIG. This amendment was slipped into this bill—and we, of course, didn't know it when we voted ''no'' on the bill.

So, what is going to happen tomorrow? I am going to finish what is going to happen tomorrow, and then I would encourage some discussion, because this is kind of like a little case study. Because now the Democrats have put this amendment in, these executives are getting their $165 million, and the public is going crazy. They are mad. They are ready for somebody's scalp. And so we are going to bring a bill to the floor which is going to say that we are going to tax these executives at a rate of 90 percent. Well, that's interesting, isn't it?

We already knew they were going to get paid, and so now we are trying to somehow put the toothpaste back in the tube. We are going to tax a couple of specialized, specifically named people at 90 percent—which, of course, is unconstitutional. How would you like it if somebody could single you out as the only guy on your block and we are going to tax you at 90 percent, but nobody else? It is completely unconstitutional.

So they are going to bring a bill to tax these guys at a 90 percent tax rate, which will make a lot of Americans on the surface think, oh, this is a pretty good idea. And if we vote no because it's unconstitutional—because we took an oath of office to protect the Constitution—- we look like we are defending people getting $165 million for crashing this company. So that's a pretty clever thing to do; it's a good diversion.

I thought it was a brilliant piece of strategy to try to cover the fact that the Democratic Party knew that this thing was in the bill all along, did not take any actions. Now people caught them. Now people are mad. And so what we are going to do is we are going to start this unconstitutional policy of taxing somebody. Now, the question then becomes, what are the Republicans going to do tomorrow morning? That's going to be an interesting question.

I yield to my good friend, the doctor from Atlanta, Georgia, Congressman GINGREY.

Mr. GINGREY of Georgia. Well, I thank the gentleman from Missouri for yielding. And I thank the gentleman from Pennsylvania, Congressman PITTS, for holding this hour-long discussion, Mr. Speaker, and my colleague, Representative LATTA from Ohio, and others that have spoken. I appreciate the opportunity.

And Representative AKIN just mentioned, my colleagues, that tomorrow we are going to have this bill under suspension that so-called ''gets our money back.'' It's telling the American public, oh, we are going to get our money back from these absolute scoundrels that got these bonuses—in some cases, $1 million, I think there were a couple of cases where people got $3 million, and in the aggregate, something like $160, $170 million. I will tell you, I would call those bills, the bill tomorrow, the ''unrighteous indignation'' bill, or maybe the ''majority mendacity'' bill. Because what this majority party wants to do, Mr. Speaker, is posture themselves like, oh, you know, we are going to go after the bad guys, when, as the Congressman just pointed out, when you connect the dots, when you follow the dots in some of those charts that were presented earlier and you see that we have actually given this insurance company, American International Group, $190 billion, that is over a thousand times as much as these bonuses.

So the real issue, which they are diverting our attention from—they, the majority party—and don't want the American public to realize what they have done——

Mr. AKIN. Reclaiming my time for a second, you just gave us a number thing. It is hard to keep all those zeros straight. You are saying that we just gave—as I recall the number was $173 billion to AIG. How does that compare to $165 million? What was the ratio?

Mr. GINGREY of Georgia. Well, reclaiming my time, you add three zeros to that. A million is six zeros. A billion, if I am correct, is a thousand million.

Mr. AKIN. So a thousand more than this executive pay thing?

Mr. GINGREY of Georgia. This is what we are talking about, literally, the money that was given to this company.

I know, Mr. Speaker, the American people, when you explain that to them, they can understand it. And they say, well, now, wait a minute, this is an insurance company. I've got my life insurance, I've got my health insurance with Prudential or Provident or Aetna or any other. I mean, it's not like it was the only insurance company in the world. And this business of being too big to fail—because what they did is they, in these subsidiaries, they weren't just satisfied with making money off selling life insurance, they had to get into this business of selling these financial products, these credit default swaps and mortgage-backed securities and derivatives, things that the common man doesn't even know what you're talking about. But it's all about greed.

And I am telling you, this business of bailing them out with our money, taxpayer money, Mr. Speaker, people like my constituents in the 11th District of Georgia who are struggling every day, some of them, through no fault of their own, losing their homes, losing their jobs—particularly if they're in the construction business—can't get loans. And here this majority party is continuing to give this company—and I think my figure is right, Mr. AKIN, that $190 billion will be the amount, the bailout money that, in the final analysis, we have given to—and maybe that's not the final analysis. Maybe we are going to say, oh, we are going to get the $170 million in bonuses, but we are going to give another $25 billion to this company.

I yield back to my colleague.

Mr. AKIN. That does raise, though, an interesting question. Because here we are, we are in the middle of this whole situation. We understood that there wasn't time to look at what was in the bill. We know that this prominent Senator, that is in the same home as AIG, who has got that 3 percent loan on his house, he has received more money than any other Member of Congress—House or Senate—from AIG, that he put the amendment in to protect those bonuses. And the administration knew that was in there, and yet there is this sort of a mock sense of, hey, we are really upset about this. So what we are going to do is we are going to just ignore the Constitution and tax these guys at 90 percent. And then that puts us in a trick box as Republicans; do we vote to ignore the U.S. Constitution or do we vote to try to make some claim on these guys' salaries?

Mr. GINGREY of Georgia. If the gentleman would yield just for a second on this point, and then I will yield back to my colleague from Pennsylvania, Representative PITTS.

On this particular issue, don't forget, my colleagues, that at that so-called ''conference committee'' back in the fall when this economic stimulus bill, all the details were being worked out, the majority party was there in the dark of night. I don't know how many conferees from the minority party were there, but the administration was absolutely there when this provision, as my colleague said, was put in by the Senator from Connecticut, Senator DODD, in regard to making those changes so that these employees of AIG could get these bonuses. But a representative of the administration, the new administration, the Barack Obama administration, Mr. Speaker, was in the room and knew exactly what was happening. And the second largest recipient of contributions, when he was in the United States Senate, from AIG was none other than Senator Barack Obama. I think it's very important that the American people understand these things and try to connect the dots.

□ 1915

Mr. PITTS. I just want to say after hearing the gentleman, I can only say one thing: Please, no more bailouts. Look at the market and see what has happened with these big bailout bills.

I would say the message that I'm trying to convey here tonight is that policies matter. And some policies help create an environment in which the

economy is able to thrive, and wrong policies have the opposite effect. So let's learn the lessons that we can learn from these charts. Let's get good policies again. Let's get our spending under control. Let's not tax too much. Let's not waste money. Let's not borrow too much. And if we will pursue good policies, then, hopefully, the market will start responding again the way we'd like to see it.

And I thank the gentleman for yielding.

Mr. AKIN. Reclaiming my time, gentleman, when you talk about consequences, just taking a look at that one bill alone, which was the thing they called the ''stimulus'' bill or the ''porkulus'' bill at $800 billion, $800 billion that we don't have. We only have a 300-ship Navy. We're talking 250 aircraft carriers as the equivalent cost. But let's talk about what the indebtedness of that is. Just that one bill, what that would mean would be nine new aircraft carriers every year. That's just the cost of the debt that we're getting into.

Mr. LATTA. Will the gentleman yield?

Mr. AKIN. I will yield.

Mr. LATTA. I think the number I'm now seeing is that by the year 2012 we'll be paying a billion dollars in interest on the debt every day, which is absolutely putting our future generations in the hole that they're never going to climb out of. And that worries me with our kids back in Bowling Green and what we're going to do to their future. And I don't think it's right what this Congress is doing.

I think a little earlier I might have misspoken when I was talking about some of the debt numbers. You start throwing around billions and trillions, and I think the numbers I should have been saying were trillions when we talking about the debt in 1989 and 1999 and 2007. But those numbers keep going up. And we can't have that going on because, again, as I've mentioned and as all the gentlemen have mentioned this evening, when you look at what we have been doing to this country and owing foreign governments only $119 billion in 1979 and, as I said a little bit ago, that we now owe over $3 trillion. As the gentleman from Pennsylvania mentioned, the problem we're going to be having is that we're going to have a situation with this debt going up. The President has already said if we can't get people to buy that debt, we're just going to have to raise that interest rate. And as I mentioned a little bit earlier, we're going to be right back where we were in the late 1970s with President Carter when we had 21 percent interest rates, and the problem is going to be that no one is going to be able to get any loans out there and the situation we're going to be in is a dire one because back 30 years ago, this country was on top of the heap. China is now the number one manufacturing country in the world, not the United States. They've passed us this year, and now we are going be in a situation where how do we climb out of it?

Mr. AKIN. Reclaiming my time, to summarize what we have been talking about in a way, first of all, we're taxing too much; second of all, we're spending too much; and third of all, we're borrowing too much. That's basically the way things are going. We have tried that approach before. We tried it during the Great Depression. It turned a recession into the Great Depression. Henry Morgenthau was the one who made it clear that it hadn't worked.

And take a look at what's going on here in the situation with the jobs that have been lost since the Democrat majority, and you see what's going on is this thing is really going up in terms of jobs lost. Why is that? Well, because small businesses are getting hammered and they're the source of a great number of those jobs. So if we do not have the liquidity and we don't allow the small businessman to keep some of what he earns and to invest in his company, we lose jobs. And this is what's going on. It's predictable. It's happened this way for years, all throughout history. And the solution is straightforward. There is a solution. We don't have to go down this path. But it means that we have to stop spending, we've got to stop taxing, we've got to stop borrowing, and what we have to do is let some liquidity back for the small businessman, and you'll see this job thing turn around.

TARP AND THE AIG-WALL STREET AXIS

The SPEAKER pro tempore (Mr. SCHRADER). Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. SHERMAN) is recognized for 60 minutes.

Mr. SHERMAN. Mr. Speaker, I will try not to consume the entire 60 minutes, but I do have much to say about the progress of the so-called TARP, or bailout, program and the treatment of executives as well as general creditors and counter-parties under that bill.

I think that the way this bill has been administered has been a travesty for quite some time, and it is perhaps peculiar that only this last outrage from AIG has generated the kind of public revulsion that is well justified by actions taken prior to the recent AIG giant bonus payments.

But let us look in particular at AIG. They have healthy insurance companies, a healthy savings bank, all owned by a parent company. And that parent company decided to establish a Financial Products division, a casino, in which the rich and powerful from around the world could come to bet. In fact, that is what they did. And they bet that American mortgages would decline in value. These gamblers were right, but they were too smart by half because together, they broke the bank. And now they come to American taxpayers, and they say, ''You should make sure that we walk away from the table with our winnings intact.''

Now, how does this compare to the way that capitalism is supposed to work? When an insolvent institution has general creditors and that insolvency requires governmental intervention, usually in the form of bankruptcy reorganization or receivership, not just the shareholders, not just the executives, but also the general creditors and the counter-parties take a substantial hit. This is what is, in effect, happening with General Motors today. Now, General Motors is not in a formal bankruptcy, but they are carrying on pre-bankruptcy or in-lieu-of-bankruptcy negotiations. Their workers are seeing their contract changed and modified. The bondholders are seeing that they will get paid only one-third of what the bond contract says they are supposed to be paid in cash. So what kind of country is it when what was once our greatest industrial company, the investors and the bondholders of that company, the workers at that company are told that they have to take a substantial hit, but a giant casino, we are told, those who went and bet at that casino need to get every dollar their winnings entitle them to at the expense of the Federal Government and, oh, by the way, the croupier is supposed to get a $6 million bonus as well?

The difference is that the AIG-Wall Street axis represents the most powerful in the world, and they are not going to sit idly by as people say that just because AIG is insolvent, they should take less than everything they want.

What should have happened to AIG long ago is AIG should have gone into receivership. Now, this would have liberated their insurance subsidiaries and savings bank, which are healthy, to be spun off and to play the role that they need to play in our economy. Now, it is said that these subsidiaries would have been hurt, that the consumers of the insurance company would feel bad and reluctant and uneasy if AIG went into receivership because, after all, that would mean AIG would get a lot of bad press and some of that bad feeling might attach itself to these subsidiaries. Well, my God, is there anything that could have generated more bad press for AIG and every entity associated with it than the events of the last few days?

Had AIG gone into receivership, it would have been a 1-day story. Oh, in the financial press they would have covered it for weeks, but it would have been a 1-day story on the front page of every newspaper in the country. Instead, those affiliated and associated with AIG are being associated with what has got to be referred to as the worst business press any company has received.

The second thing that would have happened with receivership is that the general creditors, the counter-parties, the people who won by placing bets at the AIG casino would have to take less

than what the contract provides. This would have been a reasonable outcome because one of the bets you make when you go to the casino is whether the casino is going to be able to pay. And if the house can't afford to pay, the House of Representatives shouldn't be the ones called upon to do so.

Finally, receivership would have voided or forced major modifications of all those bonus contracts that we are told are so sacrosanct that in a society with a rule of law we have got to pay the $6 million bonuses to the people who invented the AIG casino.

Now, we are told, oh, my God, we need these talented people to stay at AIG. We had testimony from the regulators of AIG's healthy subsidiaries, and they indicated to us in committee today that they have on their staffs at salaries between $100,000 and $150,000 people with expertise, substantial, major expertise, in credit default swaps. So if you want somebody with the expertise to deal with the assets that AIG needs to unwind, you may need to pay a salary of $100,000 or $150,000. But if you need not just that expertise but somebody who has the experience of creating a casino that destroyed the AIG Company and has imperiled the economy of the world, if you want somebody with the talent for that level of destruction, then you need to provide them with multi-million dollar bonuses. Clearly, AIG in receivership could have staff being paid reasonable amounts with the expertise necessary to carry on the necessary transactions.

Now, AIG is not the only one of these firms that should be in receivership because how can we make the major bank balance sheet healthy? What we're told is we have to remove the toxic assets. Well, I'm an old CPA. I know what a balance sheet looks like. And you never made a company any stronger by removing any kind of asset from its balance sheet. Now, if you cannot remove an asset from the balance sheet but, rather, trade a bad asset for a lot of taxpayer cash, that can, indeed, enrich the company, and that enrichment is reflected on the balance sheet.

But the way to strengthen these financial institutions isn't by taking assets off their balance sheet; it's by taking liabilities off their balance sheet. And how do you do that? Well, when you have an insolvent financial institution, you go into receivership. The creditors who are uninsured, the big boys, have to take a cut in the amount that's owed to them. That reduces the liabilities on the balance sheet. It increases the amount of net capital on the balance sheet, and that institution is able to emerge healthy and ready to do business and play the role in the economy it should.

□ 1930

Instead, we are told, Treasury is looking to buy the ''toxic assets'' in a ''public-private partnership.'' When you hear that the Treasury is going to trade cash for trash, that they are going to give large amounts of money in return for the worst assets these banks have, then hold on to your wallets.

But now we are told it will be a partnership between hedge funds and the Treasury, in which the Treasury will put up almost all of the money and the Treasury will take almost all of the risk and the private hedge funds will get almost all of the upside. This is, needless to say, something that's going to be hard to sell to a skeptical American public.

We need to make sure that if there's any public-private partnership, that the terms on which the Treasury invests are identical to those terms of the private investors. They put a dollar on the table, we put a dollar on the table. They make a dime, we make a dime. We lose a dime, they lose a dime.

Instead, what I fear will be created is a system in which we put $9 on the table, they put $1. And if money is to be made, it goes chiefly to the folks that put in only $1 of capital. Beware of any system that is overly complex, because that is a system in which the taxpayers may get shortchanged.

I think we speak from experience, because taxpayers have already invested in the preferred stock of all these big banks, and the official congressional oversight panel says we got shortchanged to the tune of roughly $78 billion, 31 percent of the amount we invested. It got a few headlines for a while, and people have forgotten.

Now we're told that these same companies that shortchanged us, that took in $252 billion of our money but gave us securities worth $78 billion less than the cash we gave them, that they are eligible for further bailouts, that we are ready to do business with them as if they have sinned not at all. We should establish a policy that we are not doing business with these banks that shortchanged us until they give us additional preferred stock to fully compensate for the cash that we have put into the institutions.

I fear that this will not be the policy of the Treasury. We already know, because I asked them at the last hearing, that the major banks are unwilling, on their own, to issue additional preferred stock to the U.S. Treasury in order to make up for the fact that they have shortchanged us.

So we need to compel those additional shares of preferred stock to be issued. We need to be wary of buying toxic assets. We need to be wary of buying any assets on terms under which we put up most of the money and take most of the risk and private interests get most of the upside.

But let me return to the issues of executive compensation which are, after all, what has touched a nerve with the American people. Before I quite go to executive compensation, let's talk a little bit about why that nerve was hit and why the larger rip-offs of the taxpayer have generated less attention. The reason is simply that people understand what it is for somebody who screwed up a company and drove it into the ground and imperiled the American economy to get a $6 million bonus. They understand a $6 million bonus.

In contrast, the fact that the counterparties and general creditors of insolvent institutions are being paid in full when they should take a substantial haircut, that is something outside the experience of the American people. So, recently, we put up $30 billion to AIG. Immediately $20 billion went to the richest and most powerful in the world.

Over the last few months, tens of billions of dollars have gone to foreign banks, as if bailing out American banks wasn't taxing us sufficiently already, those are the multibillion, the $10 billion, the $100 billion transactions. They are complex, and Wall Street is able to use that complexity to say, ''Oh, American taxpayers, you just don't understand, but trust us, trust us. The whole world economy will implode if you don't make sure that the credit default swap counterparties are paid in full.''

And since so few Americans have much experience with credit default swaps, they have been able to sell that, and that's the big swindle. The small swindle is the $6 million, the $3 million bonus, the $165 million in total bonuses going to this unit of AIG at this time. That is something the American people understand.

So what are we going to do about it? First of all, let's reflect. If AIG had gone into receivership even a few days ago, those bonuses would not have been disbursed and the contracts under which they had been paid would have been modified or discarded. We still need receivership for AIG, but receivership last week would have been better.

But now we have an opportunity to use the Tax Code to make sure that those who receive excess compensation and who work for these big bailed-out banks have to give that money back, either to the employer, or have to give it back through the Tax Code to the American taxpayer.

Now I think that tax bill may reach this floor tomorrow. Let us discuss what should be in it, and I am concerned that a few things that should be in it will not be in it. First, and I think that the bill will be good in this respect, it shouldn't just be an AIG bill. What about the giant bonuses at Merrill Lynch?

What about all those who are getting multimillion-dollar bonuses and working at firms that are insolvent, firms that need to be propped up by this extraordinary and perverse departure from capitalism called the TARP program? We ought to treat all executives at the big bailed-out firms the same.

Now I see a reason to draw a line with those bailed-out firms that received only a few billion dollars in TARP money. They might be viewed separately. But those who have received many billions of taxpayer

money, those companies, we ought to look to the executives and say we don't think you should be receiving more than a reasonable amount of compensation.

Now President Obama has drawn that line at half a million dollars of compensation per year. Plus, in his program, and he has several programs, this is the program that's most severe, plus an unlimited amount of restricted stock. That would be a reasonable line. Other people might draw the line differently.

But we need to apply it, not just to bonuses, but to other forms of compensation as well. We got all upset about bonuses, they started calling them retention payments. Now we are going to pass a tax law dealing with bonuses and retention payments.

You know what they are going to do? They are going to increase the salaries from $1 million a month up to $2 million a month. So the first thing we need, in any tax law designed to tax away the ill-gotten excessive compensation of executives with bailed-out firms is we need to deal with all forms of compensation, not just bonuses.

Otherwise we will go back to our constituents for the District Work Period and they will say, fine, Congressman, fine, Congresswoman, you dealt with the bonuses, what about the $1 million-a-month salaries? What about the fact that some of them went up to $2 million a month? Deal with the entire executive compensation. Deal with all of the major bailed-out firms.

Next, it is important that any tax bill provide explicitly what happens if, as we hope, the executive decides to return to the company the excessive portion of the compensation they have received.

So I look forward to working both on this floor and perhaps with a conference committee to have a bill that is comprehensive as to which companies it deals with, that is comprehensive in that it deals with all forms of compensation.

I see we have been joined by the esteemed gentlelady from Texas, and at this point I shall yield to her for whatever comments she would like to make to the House.

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman from California, and I thank him for yielding. I have listened to the gentleman. We have participated in a number of caucuses where we have collectively expressed the importance of reinstituting regulation, but, more importantly, letting the people speak.

Our challenges to the actions of AIG are not new. I am reminded of the works that were done in the last administration in 2008. There was a whole litany of prohibition and restrictions, particularly to regulate how that money would be given. No bonuses was one of those that was highlighted.

In addition, to restrain the random use of money, reporting transparency, the idea of set-asides for those involved in mortgage foreclosures or modification, these are the issues we fought for. And in a lesson that has been bitter, we have seen AIG literally implode the, if you will, sympathy of the American taxpayer.

I believe that the tax bill that's going to be on the floor tomorrow, I happen to support the efforts that are being made by the Judiciary Committee to provide for enforcement against those who would issue such, in essence, retention bonuses and to likewise require penalties and reimbursement.

But let me just indicate why we need to be strong in our regulation on these issues. We take note of the fact that the CEO of AIG came just a few months ago. We thanked him for committing to serving after AIG had reached the brink of collapse.

But I think the concern that I wish to speak to is the need for congressional oversight that was occurring in the Financial Services Committee today. It was occurring in the Judiciary Committee today. We should not be ashamed or shocked of holding the reins on entities that seem to be confused about the importance of congressional oversight.

The points that were most provoking and striking to me today in the Financial Services Committee hearing are two: one, that these retention bonuses were issued on a Saturday night. Sounds to me like something of old, the Saturday Night Massacre. I frankly thought that much of our business is done from 9 to 5 from Monday to Friday, but that was not the case.

But the other part of it that raised concern is the lack of transparency. Some government officials were made aware of this, in particular, the Federal Reserve. But committees that have oversight jurisdiction, either enforcement or regulation, just seem to be lost along the way.

How many times do we have to repeat the fact that these Members do not represent themselves? This House, in fact, is the people's House. The upper body, of course, represents the combination of Congress.

So I think it is important, as we look to the legislative focus, we also need to change minds and mindsets. But now that we are a major stakeholder, we do believe in capitalization, or capitalizing, restoring the markets, but we also think it is important that there be this link of understanding.

My question would be, and I am wearing a lawyer's hat, that if there was a legal premise on which one thought they had to give these bonuses, frankly, I believe, our legal system is strong enough, and the financial system, to have indicated that we are not giving these bonuses at this time and to, in essence, say, let us take it to court. In that instance, we would have had an independent arbiter to address the question of whether these bonuses were, in fact, adequate.

I look forward to the legislation making its way through this House dealing with taxation. I would hope that this would be recognized as not a punitive measure for people's hard work. Don't get the wrong idea. We understand hard work. We understand business hard work, small business hard work. We understand people who work in the financial markets, the hard work they do, the late hours. But we are partners now, and we have to do hard work on behalf of the American public.

We have got to cherish their tax dollars as we look forward to reform the health care system, as we make the markets work again. We have got to restore their confidence, that people will believe it's okay to invest in these large entities to make the market work.

□ 1945

So I would simply ask my colleagues as we begin to debate this, let us not mischaracterize any of our work. We have been fighting against this kind of debacle, if you will. Members have been working on both sides of the aisle. But I think it's honest to say that all of this started way back in the last administration.

The language of the TARP bill of that era, the $350 billion, was not with any restraint, and many of us argued against it, and there were arguments across party lines.

So let us now take the pledge, if you will, take the leap, if you will, in the cold waters to be able to accept the responsibilities—as a Judiciary Committee member, myself on the aspect of enforcement, and certainly I think the regulatory aspect, Mr. SHERMAN, is one that we need to ramp up.

I will simply close by saying we're here tonight—it's about quarter to eight eastern standard time, but it is after a full day of work. I just hope that we can find a better day than late Saturday night, early Sunday morning, or midnight Saturday night and Sunday morning, to make important decisions that are made by the private sector and give the opportunity to the American people to see transparency and let us fix these markets.

I'm prepared to fight the battle so that taxpayers can have a restoration of their confidence in what we are doing here but, more importantly, in what America stands for, and that is equality and justice and opportunity and fairness for all.

I thank the gentleman for yielding to me at this time, and I'd be happy to yield back

Mr. SHERMAN. I thank the gentlelady from Texas. At this point I would want to resume my comments about the tax bill or the latest draft of it that I expect will come before this floor tomorrow.

The bill is retroactive in the sense that it does affect the taxation of monies received in 2008. That is not the best way to pass tax law, but it is not uncommon to act right up until April 15, 2009 or, even later, to affect the tax law applicable to 2008 tax returns.

There have been many occasions when this House has, after the end of a calendar year, modified the tax law for that year. Usually, that takes the form of a tax reduction. But it has sometimes taken the form of a tax increase.

Second, I should point out that the draft that is in circulation now uses the term ''capital infusions'' so as to apply the bill to executives with companies that have received capital infusions of over $5 billion. The bill, however, does not define the term capital infusions and so it leaves open how it would apply in two different situations.

In one situation, it clearly would apply, and that is if the Federal Government spends $5 billion or more to buy preferred stock from a company, we have made a capital infusion in that company of $5 billion or more.

But it now appears that Treasury is going to buy toxic assets from companies. The authors of the tax legislation should indicate if somebody sells us a big package of bad mortgages for $5 billion or $10 billion, is that company covered by this new tax law—or are the executives covered by this new tax law.

Second, the draft that is coming before us—and this isn't really second, but this is last on my list, rather—deals, perhaps unfairly, with small bonuses.

The draft, for example—say you have an individual, and I will make it simple by assuming this individual is filing a separate tax return, separate from his or her spouse. And say the individual makes $125,000 a year salary and a $10,000 bonus. Under this draft, they face a penalty tax on the $10,000 bonus.

Well, somebody earning $125,000 dollars isn't terribly rich certainly, by Wall Street standards, and a $10,000 dollar bonus may not be excessive.

The bill's laser-like focus on bonuses could subject a $10,000 bonus to a $9,000 tax, notwithstanding the fact that if somebody is getting $1 million a month in salary, and no bonus—if you're getting $1 million a month in salary, I'm not sure you need a bonus—that person will face no additional tax under this tax bill.

So I would hope that the bill would be reconfigured to deal with the total compensation package, including salaries and, in any case, even if it's just going to be targeted at bonuses, should focus not on small bonuses received by people who are earning modest middle-class or even upper middle-class salaries.

The next point I would like to make—I think it's kind of obvious from the tone I'm taking that I voted against the TARP bill on this floor, twice, and hope that we see very substantial changes in the way we are dealing with financial institutions before we are called upon to vote on any financial rescue bill in the future.

One change we need to see, a change I think we can believe in, would be a change of personnel in Treasury as to the Assistant Secretary of the Treasury responsible for the TARP program. I refer to it not by its technical name but the Assistant Secretary for Big Bank Bailouts.

Neel Kashkari is a holdover from the last administration. He is, more than any other person, responsible for the fact that we got shortchanged to the tune of $78 billion worth of securities on our first $252 billion of security purchases. He is still there.

If there's one thing this country wanted change and expected would be changed on January 20 of this year, it would be the person in charge of the TARP program. And I look forward to the day when we get a new assistant secretary into that position. Even a temporary acting assistant secretary drawn from the banks of the bureaucracy would be an improvement over someone who has managed to lose 31 percent, and more, of everything we have invested.

Now I'd like to return to the process by which AIG revealed these bonuses. It is true that everyone paying attention is aware that AIG had a lot of excessively compensated individuals. In fact, when Neel Kashkari, the Assistant Secretary of the Treasury, came before our committee, I questioned him about what I knew were $3 million bonuses being paid to AIG executives. I was able to point out to him that the TARP statute mandated that the Secretary of the Treasury provide standards of appropriate executive compensation, and that only because Treasury had deliberately intentionally ignored that general mandate were the—at that point, I only knew of $3 million bonuses being paid at AIG—were they paid.

Assistant Secretary of the Treasury Kashkari, then speaking for the old administration, but perhaps holding the same views under the new administration, would not opine on whether a $3 million AIG bonus was or was not appropriate executive compensation.

The fact is, Treasury continues to have the power and the duty to issue regulations defining executive compensation—appropriate levels of executive compensation at bailed out firms. They should do that, and do it promptly.

So, in any case, people were aware that there were executives at AIG getting enormous bonuses and huge salaries. But this last weekend, it was revealed to us some particularly painful details. First, that $165 million was about to be disbursed. Second, that the chief beneficiaries were going to be the people that created the most malignant casino in the history of Wall Street, the AIG Financial Products Division.

So all this money, or virtually all of it, was going to the people at the division that had destroyed the AIG company and much of Wall Street besides.

Finally, we learned that some of those bonuses would be in excess of millions of dollars—in one case, over $6 million. Those particulars were revealed just hours before the checks were distributed. And the question is: Did the securities law of the United States require that AIG reveal that much, much earlier.

If the securities laws are not that clear, they should be, because the theme of the securities laws are that a company must reveal on a timely basis material information to its shareholders. Material information is that which would influence the shareholders in a decision to invest.

Well, the American taxpayer invested $30 billion additional into the AIG morass just 2 weeks ago. I submit we definitely would have been influenced by knowing that these particular bonuses were being paid to the executives of the Financial Products Division of AIG.

But, instead, these bonuses were hidden from us. The particulars were hidden from us right up until hours before disbursement. Well, why was that done? Because we could have, as a country, put AIG into receivership before they got the last $30 billion. We could have saved ourselves $30 billion and, in the process, we would also have invalidated or forced a judicial modification of all those obnoxious bonus contracts.

But they didn't tell us about this. They didn't give us the particulars that are so important to the American taxpayer. They may have told one or two people over at the Federal Reserve Board, but securities law does not say that you reveal material facts to one or two people at the Federal Reserve Board. Securities law says material facts need to be revealed to shareholders promptly. And there is nothing that the 300 million shareholders of AIG—the American people—find more significant to them than this obnoxious bonus program.

I suggest that we were not told until the bonuses were distributed, not only to protect the bonuses, but to protect the concept that AIG's general creditors and counterparts should be paid in full with taxpayer dollars, as necessary.

America would be a lot happier today. The subsidiaries of AIG, the insurance companies and the savings bank, would be much stronger today. The likelihood of the administration being able to get this Congress to pass additional legislation if it finds that necessary would be much higher today.

If AIG had revealed these material facts in all of their very significant particulars months ago, or even weeks ago, but somebody at AIG decided not to tell us. Somebody at the Fed may have known these particulars and decided that the American people should not be trusted with such inflammatory information. And that is why we are where we are today.

I look forward to strengthening America's insolvent financial institutions, not by putting in hundreds of billions of dollars more of taxpayer money, not by creating partnerships in which we put up hundreds of billions of dollars but, if there's any upside, it

goes to various hedge funds on Wall Street.

I look forward to strengthening these institutions, not by removing assets, even assets that have declined in value, but assets nevertheless, from their balance sheet. I look forward to strengthening these institutions by going into receivership, removing liabilities from their balance sheet, thereby increasing their net worth, their capital, and returning them to the private sector as very, very well-capitalized institutions.

What is standing in our way is the fact that that reduction in liability is a reduction in the amount payable to the most powerful in the world—the largest financial institutions in the world.

One final comment. I thank the House for indulging this lengthy speech. First we were told that AIG was too big to fail. Then the folks on Wall Street came up with a new story. They said AIG was too interconnected with other institutions to fail.

Well, AIG is not too big to fail. It's not too interconnected to fail. It's too well-connected to fail. But receivership is not failure for AIG. Receivership is the road to success for AIG.

□ 2000

It simply will cost these very well-connected general creditors, the ones who went and bet at the AIG casino, the ones who broke the AIG casino bank. It will simply cost them money. And this Congress and this government should have the courage to do just that for the benefit of the American people.

I yield back the balance of my time.

VACATING 5–MINUTE SPECIAL ORDERS

The SPEAKER pro tempore. Without objection, permission for 5-minute special order speeches by the gentleman from California (Mr. SHERMAN) and the gentleman from Texas (Mr. POE) is vacated.

There was no objection.

THE FEAR OF GLOBAL WARMING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. POE) is recognized for 60 minutes.

Mr. POE of Texas. Mr. Speaker, tonight and today we have been hearing a lot about the economic crisis throughout the globe. Parallel to the concern about the economic crisis is another concern that we have been told about, and that is the fear of global warming. It preoccupies much of what we do here in this House, and it preoccupies much of what is in the media, not only in the United States but throughout the world.

I would like to read a portion of a Newsweek article, Mr. Speaker. It says:

There are ominous signs that the earth's weather patterns have begun to change dramatically, and that these changes may bring a drastic decline in food production with serious political implications for just about every nation on this earth. The drop in food output could begin quite soon, perhaps in only 10 years.

The regions destined to feel its impact are the great wheat-producing lands of Canada and Russia in the north, along with a number of marginally self-sufficient tropical areas, parts of India, Pakistan, Bangladesh, Indo-China and Indonesia, where the growing season is dependent upon the rains brought by the monsoons. The evidence in support of these predictions has now begun to accumulate so massively that meteorologists are hard-pressed to keep up with it.

In England, farmers have seen their growing season decline by 2 weeks since 1950, with the result overall loss in grain production estimated up to 100,000 tons every year. During this same time, the average temperature around the equator has arisen by a fraction of a degree, a fraction that in some areas can mean drought and desolation.

Last April, the most devastating outbreak of tornadoes ever recorded, 148 twisters, killed more than 300 people and caused one-half billion dollars worth of damage in 13 States in the United States.

To scientists, these seemingly disparate incidents represent the advanced signs of a fundamental change in the world's weather. The central fact—and you note here, Mr. Speaker, it is a fact. It says: The central fact is that after three-quarters of a century of extraordinarily mild conditions, the earth's climate is beginning to cool down. That is right, Mr. Speaker, this article says the world is cooling down.

Meteorologists disagree about the cause and extent of this cooling trend as well as over its specific impact on local weather conditions, but they are almost unanimous in the view that the trend will produce agricultural productivity for rest of the century. If the climate change is as profound as some of the pessimists fear, the resulting famines could be catastrophic. A major climate change would force economic and social adjustments on a worldwide scale, warns a recent report by the National Academy of Science.

This article goes on and on, Mr. Speaker, to talk about the new Ice Age affecting the world; how we are going to have a new Ice Age that will come to the United States, all parts of the world, how our whole attitude about the world will change because it will be a cold place. Basically, Mr. Speaker, Newsweek in 1975, April 28, said we are all going to freeze in the dark.

Now the people who said this—and I remember all of this taking place back in the seventies, and I believed this nonsense, that we are all going to freeze, that the Earth is getting colder, and that we can't do anything about it and that it will never correct itself. I believed all that, as did a lot of other Americans, because it was based on, as this articles says, scientific fact that the earth is getting colder. And these same people in 1975 that predicted that the earth was going to get colder are the same people today, in the year 2009, saying just the opposite: That the earth is getting hot. We are all going to roast. It is the same global warming crowd.

The difference is a few years have passed. And our attention span is so short as Americans, and other people in the world, we forget these predictions that occurred just 33 years ago. And that is unfortunate.

The people in the weather business, meteorologists, for example, who predicted the global warming and some that predicted the earth getting colder are the same people who can't predict tomorrow's weather. You know, these folks are the only people that I know of in our culture that can be consistently wrong and keep their jobs, but they do. They can't predict tomorrow's weather, but they are telling us, we are all going to roast because of global warming. I am not so sure that that is true.

The article goes ahead and points out that the earth is already one-sixth of the way toward the new Ice Age. And, of course, history proved the experts in 1970 wrong; that we did not all freeze. Now, in fact, they are predicting the opposite.

Mr. Speaker, last week we had the global warming crowd here in Washington, D.C., protesting how we provide energy for this building. Now I have nothing against folks who want to peaceably assemble and talk about issues. That is great. That is part of the American way. But it is interesting, they showed up on a day, March 2, where we had 10 inches of snow and one of the coldest days in recorded history in Washington, D.C., 18 degrees, and they were here protesting the way we find energy for this Capitol. And it is how inconsistent the global warming crowd is. They are against everything that produces energy, especially those bad, nasty oil companies.

They were wearing, and I thought this was interesting, green hard hats. Which is fine. I asked one of the young ladies that was with the group, do you know what that hard hat is made out of? And she said, plastic. And I said, what do you think plastic is made out of? And she said, well, plastic is made out of plastic.

Contrary to what some people believe, plastic is not an element. It is not a mineral. Plastic, like many things that we see every day, is a derivative of crude oil. I told her that, and she didn't understand it or believe it, but whatever. The problem they see is the fact that humans are the problem; that we use energy, and that they wish to, I guess, eliminate humans on this earth because we are the problem, they say, in global warming.

Well, first of all, global warming is not a scientific fact even though some

say that it is. There are other scientists who say we are not having global warming. Unfortunately, we have been basically told here in the House of Representatives that global warming is a scientific fact, and all of our legislation is going to be based upon the absolute fact of global warming. That is unfortunate. We should still continue the debate on, first, whether or not global warming is occurring; and, second, and most importantly, is it man's fault that there is a climate change? Scientists certainly disagree.

I think the bottom line in global warming and those that advocate that we are having global warming is it is real basic: It is all about money.

You see, those who advocate that we have global warming want more Federal dollars to study that issue to convince us that there is global warming, and they get those Federal dollars. Those meteorologists and scientists on the other side who say maybe we are not having global warming. Maybe climate change does occur, but man is not the fault; see, there is no money in saying that. There is only Federal dollars in saying, yes, there is global warming. It seems like those people who advocate global warming are just saying that because they are getting paid by the Federal Government.

Of course, the second issue is man, the culprit. I am not so sure man is the culprit. The jury is still out on that, and I think we should not be so fast to rush to judgment.

The last thing I wanted to point out is that, in the name of global warming, it really means more government control over our personal lives. That is what it is about, it is about money and it is about the fact that there is personal control over our lives by the Federal Government.

For example, soon the Federal Government is going to tell us all the type of light bulbs we can have in our homes. We have to go to those Chinese-only-made light bulbs that have mercury in them, because it soon will be the law that you can't buy any light bulbs except these energy-efficient light bulbs. The Federal Government wants to tell us what the kind of cars to use. The Federal Government wants to tell us what kind of energy to use, all in the name of global warming. But it is really control of our personal liberty in the name of global warming.

So the jury is still out on that issue, and I think we have an obligation to the American people to debate the issue of climate change, global warming, whether the earth is getting warmer or hotter, whether there is a climate change, and whether man is the culprit. I think that we should do that.

At this time, Mr. Speaker, I would like to yield such time as he wishes to consume to my good friend, Mr. ROHRABACHER, from California.

Mr. ROHRABACHER. Thank you very much. And I will be amplifying on some of the points that you have made.

I would just like to suggest that, as a 20-year veteran of the Science Committee, this issue has been before me, and I have been through many hearings and many actual examinations of this particular issue.

Last week, President Obama pledged that during his administration he would see, and I quote, that scientific data is never distorted or concealed to serve a political agenda, and that we make scientific decisions based on facts, not ideology. End of quote.

Viewing this commitment through the lens of global warming gives us some hope that President Obama will break from the ranks of the lockstep conformity that is demanded of the politicized scientists concerning the issue of global warming. Perhaps now we can get on with discovering the truth through science, not chicken little science, but real science, and leave the political pressure out of it.

Unfortunately, up to today politicians like Vice President Al Gore have done their best to silence the rational voices of scientists who have been skeptical of Mr. Gore's agenda.

Let no one forget, Vice President Al Gore's first act as Vice President was to insist that Dr. William Happer be fired as chief scientist for the Department of Energy. Dr. Happer apparently had uttered words indicating that he was open-minded to the issue of global warming. So: Off with his head. Out the door. They wanted someone who was going to provide grants only to scientists whose would verify this manmade global warming theory. Dr. Happer was relieved in 1993, the first year of the Clinton-Gore administration. So for over a decade all we have heard is a one-sided drumbeat.

Dr. William Gray, now emeritus professor of atmospheric science at the Colorado State University, and a fellow of the American Meteorological Society, verified this. Quote: I had NOAA money for 30 years, Gray recounted. And when the Clinton administration came in and Gore started directing some of that environmental stuff, I was cut off. I couldn't get any money from NOAA. They turned me down 13 straight proposals. End of quote.

This man is one of the most prominent hurricane experts in the world who before received grants for study and scientific grants, but after Clinton-Gore he was turned down 13 straight times.

This gross intimidation of other scientists was done to lay the foundation; because if it could happen to this prominent scientist, it was going to happen to them. But it was done to lay down a foundation for a radical agenda that would change our life. The first thing he had to do was to have hand-picked scientists create fear that the planet was in jeopardy. Then these hand-picked scientists had to lie about everybody agreeing to that type of prediction.

□ 2015

Unfortunately, for all those scientists who went along with this scheme, now over a decade later, there is a big problem. The claim that the science is clear and there is a consensus that humans are directly responsible for global warming is now as clearly wrong as it is dishonest. Why is it clearly wrong? Because it has not been getting warmer for the last 8 years. It is harder for everybody to ignore that fact, especially as more and more scientists are stepping up and pointing it out. It is not getting any warmer. In fact, it hasn't been getting warmer for 8 years.

In January, a U.S. Senate minority report stated over 650 dissenting scientists from around the globe challenged manmade global warming claims made by the United Nations Intergovernmental Panel on Climate Change as well as disagreeing with former Vice President Al Gore. The esteemed scientists being referred to come from a wide range of disciplines. Several are Nobel Prize winners. And many work at the most respected scientific institutions in the world. They totally disagree with the theory. They call it into question, this manmade global theory claim.

Finally, just last year the Oregon Institute of Science and Medicine released the names of some 31,478 scientists who signed a petition rejecting the claims of human-caused global warming. Of those 31,000, 9,029 have Ph.D.s. Many currently work in climatology, meteorology, atmospheric, environmental and geophysical studies, as well as astronomical studies, as well as the biological fields that directly relate to the climate change controversy.

So, there is no consensus. Thousands of scientists are disagreeing with what has been foisted upon us. Yet, we are bombarded by radical environmentalists and the media hype with the common refrain, ''case closed, the global warming is real.'' It is repeated over and over again. ''Case closed, global warming is real.'' Well, it is repeated as if it were a mantra by religious zealots. It was pounded into the public consciousness over the airwaves, in print and even in congressional hearings. Case closed. Well, this was obviously a brazen attempt to end open discussion and to silence differing views, dismissing the need to explore legitimate contrary arguments on both sides of the issue.

Again, there are hundreds of prominent scientists and meteorologists and heads of science departments at major universities, Nobel Prize winners and others who are highly skeptical and highly critical of this manmade global warming theory. But case closed. We shouldn't even listen to their arguments. There is Dr. Richard Lindzen, for example, of the Massachusetts Institute of Technology. He has been adamant in his opposition, as has Dr. William Gray, whom I mentioned a moment ago, a world-renowned hurricane expert and fellow at the American Meteorological Society. He recently pointed out that the 15-year prediction

by global warming activists that the Earth would by now be suffering many more and much more severe hurricanes, that that prediction was dead wrong. It doesn't come from me. It comes from Dr. William Gray, one of the most renowned hurricane experts in the world, who could not get a research grant during the Clinton-Gore administration.

So, let us note, the planet is not getting warmer. Hurricanes are at a 30-year low. But these views, and the views of so many more prominent scholars and scientists who also agree with these views, their views don't matter. The debate is over. Al Gore has his Nobel Prize, and the film ''An Inconvenient Truth'' has its Academy Award. So shut up and get your mind in lockstep with the politically correct prevailing wisdom, or at least what the media tells us is the prevailing wisdom. And no questions, please. The case is closed.

We have heard this dozens and dozens of times. Don't people who are advocating global warming, who are honest people, doesn't that cause them reason to pause and think, why are people trying to shut down the discussion? Okay, the science has been skewed by heavy-handed intervention in the awarding of research grants. It is clear now, evidenced by a propaganda barrage that would make George Orwell blush. This propaganda barrage has been aimed at the American people. So what is this theory that is now so accepted that grants were denied, the debate is deliberately stifled and that a barrage of propaganda is aimed at the American people to get them just to accept it? The manmade global warming theory is presented as scientific truism.

So, let's see, is it really? It is, let's say, specifically, it is a disturbing theory that the Earth began warming, a warming cycle 150 years ago. This was a warming cycle that differed greatly from all the other warming and cooling cycles that had gone on on this planet for millenniums. For as long as the Earth has a geologic history, there have been warmings and coolings. But this warming cycle of 150 years ago, we keep being told, is not like all the other cycles. This one is tied directly to mankind's use of fossil fuels, basically coal and oil. These so-called fossil fuels that have powered our industries and made civilization possible are, we have been told, causing a global-warming catastrophe. The weather is changing. It is getting hotter and hotter. After all, former Vice President Al Gore now said that, and I quote, ''humanity is sitting on a time bomb. The vast majority of the world's scientists are right. We have just 10 years to avert a major catastrophe that could send our entire planet's climate system into a tailspin of epic destruction, involving extreme weather, floods, droughts, epidemics and killer heat waves beyond anything we have ever experienced, a catastrophe of our own making.'' Al said that, not acknowledging that when his statement was made, the world temperature had already ceased to climb in the previous 5 years. But he should be excused because he was so sure, really sure, that global warming would come back and then validate his warnings.

Why was he so sure? Because fossil fuels, people like Al tell us, put an ever-increasing level of so-called greenhouse gases into the atmosphere. The most prevalent is carbon dioxide, CO_2. This increase in CO_2, we are told, causes the warming that we are supposedly experiencing. Of course, we know that ended 8 years ago, but supposedly we are still experiencing it. We will just ignore that it hasn't been getting warmer for these last 8 years.

This manmade warming cycle, according to the theory, is rapidly approaching a tipping point, as we have just heard from Al, when the world's temperature will abruptly jump and accelerate with dire and perhaps apocalyptic consequences for the entire planet. If one accepts this as fact, then manmade global warming is overwhelming our planet even as we speak. If we believed that, then we would be expected to accept controls, regulation, taxation, international planning and enforcement, mandated lifestyle changes, lower expectations, limits on consumer choice, as well as personal and family sacrifices. All of this we would be expected to accept as necessary to save our planet from—well, from us.

What are the costs of these controls? According to the Wharton Economic Forecasting report, complying with the Kyoto treaty alone would reduce our country's national output by $300 billion annually and would result in the loss of 2.4 million jobs. The cap-and-trade legislation, now being considered in Washington, would cost American industry $600 billion. This, of course, will simply be passed on to consumers in the price of the goods that we purchase.

By the way, when President Obama said there will be no new taxes for anyone with less than a $250,000 annual income, did he include all of this money that was going to be added to the price of the goods that we are paying by federal regulations that are trying to deal with global warming? I wonder who is going to pay that $600 billion. Is it just the people who make over $250,000 a year? Well, promise or no, this economically oppressive medicine will be shoved down our throats at a time of incredible hardship and economic chaos in our country. We can't afford to lose millions of jobs.

To charge the American taxpayer billions more in the price of the goods they buy, which is little more than a thinly disguised tax, is unconscionable. We can't afford to increase the electric costs as much as 129 percent, which is predicted. And significantly, they would like to raise the price of gasoline once more. They want it to stay at $4 a gallon.

It really takes a lot to frighten people into accepting such economically destructive and personally restrictive mandates that would result from the implementing of a global warming-based agenda. That is why the debate has been stifled. The case is closed. The phony claims of consensus. That is why the proponents of this theory have been so heavy-handed, heavy-handed enough to interfere with the unbiased issuances of research grants. How else, except for dishonest tactics, can they frighten people to accept the huge changes in their lives that they will be required to make by the global warming community? And these are not changes that are being made, changes for the better in their lives, otherwise they would make them gladly and voluntarily. Inexpensive air travel, for example, the global warming alarmists believe that jet aircraft should be considered among the worst CO_2 polluters. Jet travel, therefore, must be restricted. People are expected to give up the freedom to use cheap air fares. So how many people are aware of that? If the global warming fanatics have their way, there will be no more discounted airline tickets, which of course means fewer visits to see our loved ones and fewer visits to explore the world.

Better known, however, is the global warming movement's commitment to severely restrict the use of private automobiles. The rich will still have their limos and of course their private jets. Carbon offsets will see to that. Certainly Al and the others will be let off the hook because of these carbon offsets which, of course, Al will also profit from by organizing them in the private sector. The rest of us will not be able to travel by plane and will be stuck sitting at home or sitting next to a gang member on public transportation.

If we are just staying at home, what does that leave us? Is that a better life? Outlandish global warming predictions, then, are designed to strike fear into the hearts of those malcontents who just won't be willing to accept giving up those low-priced air fares and will not accept government mandates in their lifestyle. They just won't stay at home. Those changes, we are told, are needed to save the planet. Well, if proponents have their way, people are just going to have to accept things like higher food prices and, importantly, less meat in their diet. That's right. They want to wean us away from meat. A 2006 report entitled ''Livestock's Long Shadow'' to the United Nations mentions livestock emissions and grazing, and it places part of the blame for global warming squarely on the hind parts of cows. Cows are to be added to the list of greenhouse-emitting machines. So, not only are we going to be forced to cut our personal air travel and our ground transportation, as I say, which keeps us at home, but then when we stay home, we can't even have a barbecue. And heck, they won't even let us have a hamburger.

□ 2030

I point out that before the introduction of cattle to the United States, millions upon millions of buffalo dominated the Great Plains of America. They were so thick you could not see where one herd began and the other ended. One can only assume that the anti-meat manmade global warming crowd must believe that buffalo farts have some redeeming value that is better than the flatulence emitted by cattle.

Underscoring this dishonesty of the global warming fanatics, in my attempt to make light of the argument that cattle production is an evil element of our world, I once suggested, in jest, that perhaps dinosaurs' flatulence changed the climate in those days which may have ended the time of the dinosaurs. Well, it was widely reported that I was serious when I said that. Anyone who could suggest that I was serious and not making light of the other person, and I say respectfully making light of the other person's argument, anybody who reports that I was serious, that I really believed that dinosaurs were extinct because of flatulence is intentionally portraying something that they know not to be true, or they are just ignorant. But I believe we are not talking about ignorant people, we are talking about people who are portraying things that they know not to be true as if it were true.

What we have here is steely-eye fanaticism by those on the other side of the global warming debate; people clearly blinded by fanaticism and, thus, are unable to grasp nuance, unable to grasp a bit of humor added to a debate, and certainly unable to honestly examine an opposing argument.

But let's look at the proof these zealots give us to back up their claim of global warming that is threatening our planet. Let's be honest enough to be open minded to what they are presenting us.

First, let's note that the baseline used to prove global warming is 1850. I have been through hearing after hearing in the Science Committee. And 1850, by the way, is the year in which they judge whether the planet is getting warmer or cooler. And 1850 also marks something else: it marks the end, the bottom end, the final end of a 500-year decline in the Earth's temperatures called the Mini Ice Age. Yes, it was a cycle trending down for about 500 years, and it all got down to about 1850 when it started trending up. So 1850 is the baseline for judging warming of our planet? Does that make any sense? They are making comparisons against a temperature that was the bottom end of a 500-year decline in temperature. I pointed that out at numerous hearing and in numerous debates, and the issue continues to be ignored.

So if anyone out there is listening and is honest, please give us an answer: Isn't 1850 a dishonest date to use as a baseline to prove that the Earth is getting warmer? Isn't the statistical base clearly flawed when you start at a low point?

Then there are, of course, the predictions that we have heard. In testimony before Congress 20 years ago, NASA's James Hansen predicted CO_2 would shoot up and global temperatures would shoot up by more than one-third of a degree Celsius during the 1990s, and the trend would then escalate. A rise in temperature was predicted, and it would lead to what: rising sea levels, cities underwater, droughts and famines and an increase in tropical diseases; yes, tropical diseases.

Sometimes it is difficult for me when radical environmentalists use that as an example considering that tropical diseases, especially malaria, have killed millions of children in the Third World because radical environmentalists have been successful in banning DDT; but that is another issue.

It has been awhile since the apocalyptic predictions by global warming fanatics were made. Were these predictions correct? Mr. Hansen said the temperature would rise by a third of a degree just a little over a decade ago, and the answer is that the predictions turned out to be dramatically wrong. Temperatures during that decade rose only one-third of what was predicted by Mr. Hansen, a modest increase to the point that it would alarm nobody and would be of little difference than any of the other many cycle changes that we have seen on our planet over our planet's millions of years of history.

Again, over the past 8 years there hasn't even been a modest rise of temperature, again as differentiated from what Mr. Hansen predicted.

We shouldn't be surprised. Climate modeling, which is the basis of almost all alarmist predictions, is not an exact science. No weather or climate model has ever been accurate to the point the alarmists would have us believe. This was stunningly clear when Dr. Hansen called for an anti-global warming protest here in Washington 2 weeks ago that the gentleman from Texas (Mr. POE) just talked about. The day the demonstrators arrived coincided with the worst snowstorm in a year and the coldest March 2 in more than a decade.

So let's look at the other predictions. He was dead wrong to try to call a global warming demonstration on the coldest day of the year because he didn't think it would be cold. Numerous and powerful other hurricanes were forecast by the National Hurricane Center for NOAA and others. Okay, that is what we were going to have. The last decade, the global warming people said we would have more and more hurricanes. Well, for the last 8 years it hasn't been getting warmer, and we haven't seen more hurricanes. Yes, as I stated earlier, the number of hurricanes is at a 30-year low.

During the Clinton administration, scientists produced a study and then another study and another study predicting the horrific impact of the unstoppable onslaught of manmade global warming: droughts, fires, polar ice caps melting, mass extinctions, all of this, report after report, what I call Chicken Little science. We were led to believe this nightmare would be overwhelming us by now. Of course, if there was even a hint that the conclusion wouldn't back up this global warming theory, the scientists who applied wouldn't have seen one red cent of Federal research money.

And just recently Tom Knutsen, research meteorologist for NOAA, the ones who ended up not being able to give Dr. Gray any research grants, this gentleman, Mr. Knutsen, now says that he has reviewed the evidence and totally changed his mind and now admits that he was wrong about global warming and the increase of hurricane activities. So here is a scientist with integrity. Such scientific integrity did not always rise to the occasion.

Contrary to what all of those scientists living on their Federal research grants predicted, the world hasn't been getting warmer. In fact, in the last 8 years there has been no warming at all. Global snowfall is at record levels, and there are fewer, not more hurricanes. And yes, there is some melting in the Arctic. We hear about it over and over again. In fact, NBC did a special on the melting of the Arctic and how bad it is, showing penguins sitting on diminished pieces of ice in the Arctic. The problem is that penguins don't live in the Arctic. There are no penguins in the Arctic. They live in the Antarctic. So NBC had it wrong. Somebody must have told them that the penguins from the Arctic were being victimized by global warming.

In fact, the Antarctic where the penguins live, there is a buildup of ice going on. It is getting colder in the Antarctic. In the Arctic, of course, we recognize there has been some rise in temperatures; that due, which many experts tell us, to ocean currents that have changed in the last few years. But emphatically, it is not due to CO_2 that comes from somebody's SUV. The Arctic is in fact returning to the temperature levels of the 1940s.

And what about the disappearing polar bears? Are the polar bears really disappearing? Dr. Mitchell Taylor from the Department of Environmental Studies under the Canadian territory of Nunavut, and other experts suggest that all but two types of polar bears are flourishing. So yes, two types of polar bears out of 13 different types, two of those types are in decline. The rest of the polar bears, the population is expanding. So there are more polar bears. Let me say that again: more polar bears. But here we are, understanding there are more polar bears in the world, we are treated with a spectacle of polar bears being put onto the endangered species list with a caveat that they really aren't endangered now, but with global warming, they are

expected to dwindle. Never mind that the global warming trend stopped 8 years ago.

Unfortunately, the debate on this case is not closed. So emerging obvious differences between reality and theory needs to be addressed by people who have been advocating the global warming theory. Even without going outside and checking the thermometer, it is easy to tell that the predictions of manmade global warming were wrong. How can you tell they were wrong? Because they don't even use the words ''global warming'' anymore. The words ''climate change'' have now replaced the words ''global warming.'' Get that? Every time you hear the words ''climate change,'' it is evidence of error that they were wrong to begin with, or of deceit on the part of radical environmentalists.

So no matter what happens from now on, climate change has replaced global warming, and whether it is hotter or cooler, it can be presented as further indication that humans have caused the change that is taking place. No, there have been changes in our weather forever. You have always had adjustments up and down, trends and cycles.

We just need to ask ourselves, if a salesman gives a strong pitch and makes claims about something that is later to be found out to be wrong, totally wrong, when do you stop trusting the salesman? Then if he starts playing word games and changing the actual words he is using about the same product, and rather than just admitting that he was wrong, he just changes the words he is using but he is talking about the same product, isn't it reasonable to stop trusting this person?

Yes, Al Gore and company, we have noticed that you are now saying climate change rather than global warming. They tried to slip it in, but we have noticed.

So, why the alteration? Why are they doing that? That is because the world has not been getting warmer in the last 8 years as predicted, and everybody is beginning to notice it. So we actually see a beehive of activity because of this. Those federally funded scientists who were sucked into this are now trying to save themselves some modicum of credibility, this even as more and more scientists speak up and publicly disassociate themselves with the scientific claims of global warming that have been foisted upon us.

To understand all of this nonsense, you have to go back and look at the basic scientific assumptions that are being used by the global warming alarmists. They claim that excessive amounts of manmade CO_2 are being deposited in the air which causes a greenhouse effect that warms the atmosphere. They call this increase in CO_2 mankind's carbon footprint. The global warming analysts want us to judge everything by its carbon footprint. What that means is how much CO_2 is being released as a result of that specific activity is a carbon footprint. They adamantly believe that it is CO_2 that causes our planet to warm and that more CO_2, the hotter it will get, and an increasing CO_2 problem. And why is CO_2 increasing, according to these folks, that is due to us. And although mankind is responsible for significantly less than 10 percent of all CO_2 in the Earth's atmosphere, we are told climate change is our fault.

Can one huge volcano spew more CO_2 into the atmosphere than all of the people of the world? Yes, but that is still our fault.

Can one huge fire, like the one we had recently in Australia, throw just as much CO_2 into the air? Yes, but it is still our fault.

Rotting trees in the Amazon and the by-product of rot and termites may cause even more CO_2 than what people put into the air, all of the people on the planet? Well, yes, but again, it is our fault that CO_2 is rising.

This concept, just like the extrapolations from their computers is wrong, dead wrong. Andrei Kapitsa, a Russian geographer and Antarctic ice core researcher, slammed the U.N. IPCC, and this is the report that has been used to justify all of this monstrous and very dangerous global warming agenda, well this Russian ice core researcher suggests it is ''the biggest scientific fraud'' in 2008. ''The Kyoto theorists have put the cart before the horse. It is global warming that triggers higher levels of carbon dioxide in the atmosphere, not the other way around.''

□ 2045

Furthermore, he went on to point out, ''A large number of critical documents submitted at the 1995 U.N. Conference in Madrid vanished without a trace. As a result, the discussion was one-sided and heavily biased, and the U.N. declared global warming to be a scientific fact. We found out that the level of CO_2 had fluctuated greatly over the period, but at any given time increases in air temperature preceded higher concentrations of CO_2.'' This is exactly opposite from what is the basis of the whole global warming argument.

So this is the challenge; many prominent scientists including the head of the Russian Academy of Science—who I recently met with, I might add, talking about this issue—are now confirming that the rise in CO_2 comes after global temperatures increase, not before. This has been observed in ice cores, yet this has been again ignored by those who were screaming their warnings at us.

Please, give us an answer to this challenge. Why ignore it? How can the American people just accept the validity of the argument that's being presented to us when they just ignore challenges to the validity of their argument? If the increase in CO_2 is not the cause of any warming cycle the world may experience, how can there be any validity at all to any of the demands made upon us?

We have had many warming cycles in the past, but what these scientists are telling us is CO_2 increase did not cause those warming cycles. In fact, Dr. Claude Allegre, the scientist who first postulated the theory that CO_2 increase was spiking the world's temperature, has now changed his mind. Officially, he says he was wrong. He told Al Gore he was wrong. Al Gore won't listen.

So what is the cause of the world's warming and cooling cycles? If it's not CO_2, if the global warming crowd refuses to deal with that issue and look at that specifically and deal with that challenge, okay, well, I assume they're wrong. But what is it that we really believe causes these changes that have gone on for millenniums in the Earth's temperature? It's called sun spots. Yes, solar activity. That explains why one sees similar temperature cycles on Mars and Jupiter to the cycles that are happening on this planet. That's why icecaps on those planets, like on ours, expand and contract. It's the sun, stupid.

So take note that the very argument upon which global warming is built has proven to be false, and that manmade global warming activists will not address this issue. This is the most supreme arrogance that I have witnessed in my 30 years in Washington. After all, the case is closed. We don't need to discuss any more details. Yet, expert after expert keep pointing to the flaws in their central argument.

And Mr. Gore's mumbo-jumbo notwithstanding, the predictions have been wrong. And the CO_2 premise is wrong. The methodology that has been used has been wrong. The observations have been wrong. The attempt to shut up those people who disagree with them has been wrong.

Now, I remember when I chaired the Subcommittee on Research and Science in the House back when the Republicans controlled this body. I insisted that both sides be present and that expert witnesses be expected to address each other's points and contentions. This methodology led Al Gore to refer to me as a ''Stalinist.'' I would suggest that the propaganda campaign of the manmade global warming alarmists has much more in common with Stalinism than does insisting that both sides of an issue be heard at a congressional hearing. One has to really believe that he or she has a corner on the truth to make such a complaint that Stalinism is having both sides presented and addressing each other's points.

Of course, Al Gore's documentary, ''An Inconvenient Truth,'' suggests by its title that what he says should be taken as truth. Well, I won't go into the numerous debatable points and outright errors in that film, but there is something far worse in that film. This pseudoscientific documentary—what I call Chicken Little science—presented numerous film segments of climate and environmental incidents similar to those footages that you would see from National Geographic.

This added to the credibility of the points being made. Specifically, the film portrays a dramatic cracking and breaking away of a huge portion of the polar icecap. The scene is awesome and somewhat overwhelming, and leaves the audience with the feeling that they have witnessed a massive historic occurrence. Unfortunately, it's all a fake. This is not grand, firsthand photographic evidence. It's not National Geographic footage of a huge breaking away of a portion of the icecap. Instead, what the audience is looking at is a deceptive use of special effects. It's not the icecaps, it's Styrofoam. That's right, Styrofoam special effects trying to fool us into thinking we're observing an occurrence by nature. By the way, isn't Styrofoam an oil-based product or something? Isn't there some sort of carbon footprint with Styrofoam? Well, Mr. Gore has not commented on this depiction. Maybe it is ''inconvenient'' for him to comment because it may hurt his credibility. After all, it's not getting warmer, as he predicted; so maybe his, let's say, theories that are based on Styrofoam are inaccurate as well.

The first time I met Al Gore was in my first term in Congress back in 1989 and '90. Al Gore was then a United States Senator, and he marched into the science room, followed by a platoon of cameras and reporters. He sat in front of our committee demanding that President Bush—that's George W.'s father—declare an ozone emergency. He waved a report in his hand as evidence that there was an ozone hole opening up right over the northeast of the United States. A few days later, the report touted by Senator Gore was found to have been based on faulty data, data collected by one so-called researcher flying a single-engine Piper cub with limited technology and no experience. The emergency declaration the Senator called for would have had severe negative consequences on the people who live in the northeast part of the United States.

Now, does anybody detect a pattern here? Such a scare tactic—as I say, Chicken Little-ism—based on false information? Well, it isn't new. We have had many examples, not just of Al Gore, but of others playing this sort of tactic in order to get their way.

In 1957, the FDA recalled 3 million pounds of cranberries. A few years later, the FDA admitted it was a total mistake. Sorry. Of course, there was a tremendous price to be paid; a large number of our farmers went out of business. They went broke because nobody had their cranberries for Thanksgiving and Christmas.

Then, of course, there was the scare over cyclamate, used in everyday items like sodas, jams, ice cream. It was very sweet and extremely low in calories. In the early 1970s, the FDA banned cyclamate as a cancer hazard. Well, come to find out, the rats in their study had been force-fed the equivalent of 350 cans of soda a day, and only eight of the 240 rats that they had crammed all this soda in actually got sick. It was a faulty test. And eventually, years later, the truth finally prevailed, and it was officially recognized that cyclamate does not cause cancer. Canada, by the way, never banned cyclamate. Our northern buddies, I guess, just couldn't get themselves to force-feed those rats.

Well, the FDA did take back its negative finding. It came up with the truth, finally. However, great damage was done. This episode had serious consequences. It was the cyclamate ban that led to the introduction of high-fructose corn syrup, with the obesity and health problems that have come with high-fructose corn syrup. So, yes, another scare tactic, another American industry—cyclamate—decimated, another rotten theory with unintended consequences foisted upon us.

The next example of fearmongering with pseudoscience came in February of 1989. On the evening of February 26, Americans tuned in to ''60 Minutes'' and heard Ed Bradley say, ''The most potent cancer-causing agent in our food supply is a substance sprayed on apples to keep them on the tree.'' He went on to warn that children were being put at risk by eating Alar-dusted apples. The story snowballed out of control, climaxing with actress Meryl Streep's testimony before Congress. Frantic parents tossed apples out the window, schools removed apple sauce from the cafeteria and replaced those apples and that apple sauce with more safe and nutritious substances, like ice cream and pudding. Well, there is only one small problem; Alar, which is what was on the apples, didn't cause cancer. A study later found out that that was wrong. Twenty thousand apple growers in the United States suffered enormous harm.

Then, of course, there was Three Mile Island; another fake, another situation where people were stampeded. And what we ended up with that, no one was hurt at Three Mile Island, but instead, what it did was it created a political momentum that destroyed our ability to utilize nuclear energy in the United States. Instead, we are still dependent on coal and other fuels. We are dependent on oil and other fuels that we now have to buy from people overseas. Jane Fonda's movie, ''China Syndrome,'' helped create the scare. It has had an enormously negative impact. Ironically, today radical environmentalists still make attempts to stop the expansion of nuclear energy for producing electricity, even as we remain dependent on foreign oil and continue to use coal-fired plants.

Then we know about the ozone hole in Latin America, which was supposed to be around for decades, and then mysteriously it just naturally closed up after just a few years. Again, another cycle of nature presented to us as if there was some major problem with human activity.

Of course, what we've got is an example of—and we have already been presented this by my colleague—where people, just a few years ago, were talking about global cooling in the same way that they now talk about global warming.

Then there was, of course, acid rain. Ronald Reagan, thank God, stood firm. Instead of putting controls on our economy to stop so-called ''acid rain,'' he insisted on long-term scientific research. And when that research came out, it verified that acid rain was not caused by people, and it was not the problem that it was being portrayed as. So we have seen these tactics over and over again.

What we should be doing, when we hear people trying to scare us into accepting controls, accepting higher taxes, what we need to do is make sure that their science is challenged, and that we do so with an open mind. Our goal should not be to end global warming because it doesn't exist. We should be focusing on global pollution, not CO_2, but the pollutants that will hurt our people.

One of the great damages that the global warming people are doing to us today is focusing our attention on CO_2 when we should be focusing our attention on the other pollutants that threaten the health of our people. We don't need to save the planet by utilizing certain energy, we need to save the human beings on this planet. And the CO_2 focus of the global warming crowd is causing the great damage to the well-being of our people by focusing us on the wrong enemy.

I would ask that the rest of my statement be made part of the RECORD.

Then there's the so-called nuclear disaster at Three Mile Island. This incident put an end to expanding the use of nuclear energy for the production of America's electricity. It is the prime example of how devastating pseudoscience scare tactics can be. In this case, our country ended up heavily dependent on foreign oil, while France has developed a thriving nuclear infrastructure. The French learned how to reprocess uranium. We learned how to buy more energy from abroad. Three Mile Island also left us dependent on coal fired power plants and their pollution. Was this really better than the "risk" associated with nuclear power?

An operational mishap at the Three Mile Island nuclear power plant was portrayed as a deadly accident putting millions of people in jeopardy. Well, no one has yet to show me that one person's life was shortened by the Three Mile Island incident.

Because the media hype was coupled with Jane Fonda's movie called "The China Syndrome," which had just been released, the Three Mile Island incident "became" in the public's mind a major disaster. The only kind of disaster that really happened was a major public relations disaster. The American people were terrified into rejecting nuclear energy as a means of producing clean, reliable, domestically fueled electric energy.

Ironically, nuclear power is probably the most effective means of producing power with no carbon footprint, no CO_2. Yet the radical environmentalists to this day still block attempts to expand the use of nuclear energy,

even as we expand our dependency on foreign oil, and continue to use coal fired plants. Again, it was a total con job and has had a horrible impact on our lives.

And what about that ozone hole over the Antarctic? We were told it would continue to grow and grow and it would take decades to get it under control. Boyce Rensberger, director of the Knight Fellowship at the Massachusetts Institute of Technology, now points to evidence that the ozone concentration is a cyclical event, expanding and contracting the ozone throughout the eons of time. It's just part of a natural cycle according to this scientist from MIT.

So here is a scientist from the Massachusetts Institute of Technology telling us the current ozone depletion is simply part of a recurring cycle, not the result of chlorofluorocarbons, as we were told. In layman terms, he's telling us that the gigantic expense of shifting away from aerosol was a waste for America. We're talking about billions of dollars here. The ozone hole closed on its own. It was just part of a cycle. If it wasn't, it would be much different than it is today.

Then there is acid rain. Who can forget the frightening threats that acid rain posed to us just 20 years ago? Acid rain was supposed to decimate our forests, destroy fresh water bodies, and erode our buildings and sidewalks. Well, what ever happened to acid rain? Well, that theory, too, proved to be an extreme stretch.

President Reagan was pummeled without mercy for his unwillingness to take monstrously costly action aimed at thwarting acid rain. He insisted on waiting for an in-depth study to be completed, and he was vilified for his insistence on legitimate scientific verification.

Well, a 10-year study by the National Acid Precipitation Assessment Project was submitted to Congress in 1990. It minimized the human impact of acidity of water in the northwest and the northeast of the United States. The issue then died quickly and quietly, and no one ever apologized to Ronald Reagan. We haven't heard about acid rain. If they were right, we should have been hearing about it all this time.

Instead, of course we've been hearing about something else which is much easier to scare people with, global warming. And of course, the last one before global warming that I'd like to mention is the most pitiful of all. Yes, an alarmist scheme which made the cover of Time magazine 30 years ago.

Just 3 decades ago, scientists and politicians were frantic about global cooling. We were told the Earth was entering a new ice age. Unfortunately for the scaremongers, the temperature did not plummet and the oceans did not freeze. In fact, it was getting a bit warmer during the 1980s and 1990s. It was part of the Earth's on-going up-and-down cycles, as has always been the case.

Well, some of those people, some of those scientists, and others who were talking about global cooling, changed their words, and, you guessed it, global cooling became global warming. Almost overnight global cooling was rejected, and then global warming was in vogue. And now, of course, global warming is changing to climate change.

So, scare tactics are nothing new; it's a tried and true method. Those pushing an agenda know people can be frightened and stampeded; and then policies can be foisted on a hysterical public. Unfortunately, this time around, the long-term consequences will be very, very damaging for the next generation.

I often ask students visiting from my southern California district whether they think that 45 years ago, when I went to high school in southern California, whether the air was cleaner or dirtier than it is now. A huge percentage believe that the air quality 45 years ago in southern California was dramatically better than it is today. When I tell them that what they believe is 100 percent wrong, that the air is dramatically cleaner today in southern California, you can see the frustration in their eyes; they have been lied to in a big way.

The big lie their generation has been fed is that the environment is going the wrong way and that they have to give up their freedom, and that they have to give up their expectations of certain things in their life because the future is bleak. They are told the lie that we have to give up our national sovereignty, because it's a global crisis—everything about the environment—the air, the water, the land—is all getting worse. In fact, there's been tremendous progress in cleaning up the pollution that not that long ago was found in our air, water and soil.

And let me tip my hat to the environmentalists. This progress has been as a result of government regulations, often pushed by liberal Democrats. For anyone not to admit that would be disingenuous.

But the fact is that our children are now being told that this man-made global warming will devastate our whole planet.

Dr. John Christy, a professor of Atmospheric Science at the University of Alabama at Huntsville, has a different perspective, ''I remember as a college student at the first Earth Day being told it was a certainty that by the year 2000 the world would be starving and out of energy.'' Dr. Christy goes on to say, ''Similar pronouncements made today about catastrophes due to human-induced climate change sound all too familiar and are all too exaggerated for me, as someone who actually produces and analyzes climate information.''

So, we are told that polar bears are dying, but they aren't. We are told that the polar ice caps are melting, but now we know that in the Antarctic, ice is actually growing.

Hurricane Katrina, we were told would only be the first of many horrendous hurricanes to hit the United States in the next few years but, of course, there has been no significant rise in the number or strength of hurricanes. Recently it was pointed out that a hurricane just as strong as Katrina hit the United States 100 years earlier, long before the effects of ''global warming.''

Katherine Richardson, one of the organizers of the Copenhagen Conference, an ''emergency summit'' established to forward the next Kyoto Protocol, advertised the event not as ''a regular scientific conference. This is a deliberate attempt to influence policy.'' It was, she admitted, ''Explicitly designed to stoke up the fear of global warming to an unprecedented pitch.''

THERE IS NO CONSENSUS

What we have is calculated alarmism at its worst, and the consequences will be very, very severe if we let such fanatics determine policy that will shape the lives of our children. I would submit a list of 650 members of the scientific community, who I mentioned earlier; who do not agree that human activity is causing an unprecedented global warming trend.

People like me have been labeled with the epithet ''skeptics.'' Let me suggest something—science is skepticism. A scientist doesn't ''believe'' something to be true. Nor does he negotiate a solution with his colleagues. He does not reach consensus. A scientist doubts, tests, verifies, and repeats. A scientist engages in a search for answers by forming a theory and trying to tear it apart. He invites his colleagues to prove him wrong and encourages other points of view. A scientist will do everything he can to prove a theory wrong. Only then, when he and his colleagues are unsuccessful at disproving a concept, will he accept it.

Dr. William M. Briggs, a climate statistician and professor at Cornell, explained that his colleagues described ''absolute horror stories of what happened to them when they tried getting papers published that explored non-'consensus' views.''

Nobel Prize Winner for Physics in 1973, Ivar Giaever, a fellow of the American Physical Society, declared himself a dissenter in 2008. ''I am a skeptic,'' Giaever announced in June 2008. ''Global warming has become a new religion,'' Giaever added.

UN IPCC award-winning environmental physical chemist Dr. Kiminori Itoh of Yokohama National University, a contributor to the 2007 UN IPCC AR4 (fourth assessment report) as an expert reviewer, publicly rejected man-made climate fears in 2008, calling the promotion of such fears ''the worst scientific scandal in the history.''

Environmental Scientist Professor Delgado Domingos of Portugal, the founder of the Numerical Weather Forecast group, who has more than 150 published articles said, ''Creating an ideology pegged to carbon dioxide is a dangerous nonsense . . . The present alarm on climate change is an instrument of social control, a pretext for major businesses and political battle. It became an ideology, which is concerning.''

Dr. William Happer, award-winning Princeton physicist, said that ''much of the current warming occurred before the levels of carbon dioxide in the atmosphere were significantly increased by the burning of fossil fuels.''

Dr. Takeda Kunihiko, vice-chancellor of the Institute of Science and Technology Research at Chubu University in Japan, said CO_2 emissions make absolutely no difference one way or another. . . . Every scientist knows this, but it doesn't pay to say so . . . Global warming, as a political vehicle, keeps Europeans in the driver's seat and developing nations walking barefoot.''

Cleaning our air and water from real pollutants is very important to Americans. It's important to us, to our children and our grandchildren. If we fail to leave a world clean of real pollutants because we were focused on CO_2, then we will have done a major disservice to future generations. Let me emphasize that the issue should be global pollution, not global warming or climate change or any other phrases made up to scare people.

So with this said, we need to ask: what is the negative impact of all of this lack of truthful information? What could possibly happen? What is the big deal if someone is making a claim that global warming exists and it is caused by humankind and in reality it is just

the pollution that we are both trying to get at? Well, it just doesn't work that way.

CONCLUSION

The fact is if we accept this theory of man-made global warming, we will be focusing our activities on trying to eliminate CO_2 rather than on eliminating toxic substances from our air, land and water. I am concerned about my children, my three triplets, Christian, Anika and Tristan; I am concerned about their health, which is something that I think I share with every parent. Their health is not in any way threatened by CO_2.

Carbon dioxide is, in fact, like the penguins and the Styrofoam ice caps. It's being falsely pictured. It is being portrayed as a pollutant; in fact, it makes things grow, and it is not toxic to humans. In the distant past the earth had much more CO_2 in the air, perhaps as a result of volcanoes, but at that time we had abundant animal life, dinosaurs and lots of plants for them to eat. CO_2 is today pumped into greenhouses to make tomatoes grow bigger and better.

Nevertheless, we are now presented with ideas like sequestration or carbon credits that serve only to enrich the alarmists and impoverish our people. This is only possible with a public that has been frightened into accepting totally false information about CO_2. Let me state that I do support efforts that reduce pollution, particulates that do have a negative impact on the environment and human health. I support technologies that reduce these materials. If we are to save the environment for the people of the planet, that is what we should be focusing on.

Mr. Speaker, this old world has had many cycles of warming and cooling, influenced by solar activity, volcanoes, even forest fires and many other natural factors. The ice caps on Mars and Jupiter go back and forth, just as glaciers have gone back and forth. But such a powerful and mysterious force as the weather can be frightening. We need not fear the thunder, and we need not fear climate cycles.

We need not be frightened, hoodwinked into giving away our own freedom. Not to our own government, much less the U.N. or a global power—the power to control our lives in the name of man-made global warming, or climate change, or whatever they want to call it. We cannot allow the alarmists to take this country down the wrong path. Let us pass on to the children of this country and the planet, let us give them the freedom and prosperity we enjoyed. We must not allow our future to be stolen by hucksters who would frighten us into giving up our birthright in the name of saving the planet. It sounds good and noble, as most scams do, but it is just a trick, a hoax. Let's not get taken in by the greatest hoax of all.

Mr. POE of Texas. I want to thank the gentleman from California (Mr. ROHRABACHER) for his insightful evaluation of the entire global warming concept, and I appreciate the research that he has done.

It is important that we have a debate on this issue because our entire energy policy under this administration is based upon the myth that there is global warming. It has been pointed out that the Earth goes through cycles of different climate changes—it gets cooler, it gets warmer—and whether man is at fault or not, I think not.

I would like to enter into the RECORD the Newsweek article I referred to earlier from April 28, 1975, the article that says we are all going to freeze in the dark.

[From Newsweek, Apr. 28, 1975]

There are ominous signs that the Earth's weather patterns have begun to change dramatically and that these changes may bring a drastic decline in food production—with serious political implications for just about every nation on Earth. The drop in food output could begin quite soon, perhaps only 10 years from now. The regions destined to feel its impact are the great wheat-producing lands of Canada and Russia in the North, along with a number of marginally self-sufficient tropical areas—parts of India, Pakistan, Bangladesh, Indochina and Indonesia—where the growing season is dependent upon the rains brought by the monsoon.

The evidence in support of these predictions has now begun to accumulate so massively that meteorologists are hard-pressed to keep up with it. In England, farmers have seen their growing season decline by about two weeks since 1950, with a resultant overall loss in grain production estimated at up to 100,000 tons annually. During the same time, the average temperature around the equator has risen by a fraction of a degree—a fraction that in some areas can mean drought and desolation. Last April, in the most devastating outbreak of tornadoes ever recorded, 148 twisters killed more than 300 people and caused half a billion dollars' worth of damage in 13 U.S. states.

To scientists, these seemingly disparate incidents represent the advance signs of fundamental changes in the world's weather. The central fact is that after three quarters of a century of extraordinarily mild conditions, the earth's climate seems to be cooling down. Meteorologists disagree about the cause and extent of the cooling trend, as well as over its specific impact on local weather conditions. But they are almost unanimous in the view that the trend will reduce agricultural productivity for the rest of the century. If the climatic change is as profound as some of the pessimists fear, the resulting famines could be catastrophic. ''A major climatic change would force economic and social adjustments on a worldwide scale,'' warns a recent report by the National Academy of Sciences, ''because the global patterns of food production and population that have evolved are implicitly dependent on the climate of the present century.''

A survey completed last year by Dr. Murray Mitchell of the National Oceanic and Atmospheric Administration reveals a drop of half a degree in average ground temperatures in the Northern Hemisphere between 1945 and 1968. According to George Kukla of Columbia University, satellite photos indicated a sudden, large increase in Northern Hemisphere snow cover in the winter of 1971–72. And a study released last month by two NOAA scientists notes that the amount of sunshine reaching the ground in the continental U.S. diminished by 1.3% between 1964 and 1972.

To the layman, the relatively small changes in temperature and sunshine can be highly misleading. Reid Bryson of the University of Wisconsin points out that the Earth's average temperature during the great Ice Ages was only about seven degrees lower than during its warmest eras—and that the present decline has taken the planet about a sixth of the way toward the Ice Age average. Others regard the cooling as a reversion to the ''little ice age'' conditions that brought bitter winters to much of Europe and northern America between 1600 and 1900—years when the Thames used to freeze so solidly that Londoners roasted oxen on the ice and when iceboats sailed the Hudson River almost as far south as New York City.

Just what causes the onset of major and minor ice ages remains a mystery. ''Our knowledge of the mechanisms of climatic change is at least as fragmentary as our data,'' concedes the National Academy of Sciences report. ''Not only are the basic scientific questions largely unanswered, but in many cases we do not yet know enough to pose the key questions.''

Meteorologists think that they can forecast the short-term results of the return to the norm of the last century. They begin by noting the slight drop in overall temperature that produces large numbers of pressure centers in the upper atmosphere. These break up the smooth flow of westerly winds over temperate areas. The stagnant air produced in this way causes an increase in extremes of local weather such as droughts, floods, extended dry spells, long freezes, delayed monsoons and even local temperature increases—all of which have a direct impact on food supplies.

''The world's food-producing system,'' warns Dr. James D. McQuigg of NOAA's Center for Climatic and Environmental Assessment, ''is much more sensitive to the weather variable than it was even five years ago.'' Furthermore, the growth of world population and creation of new national boundaries make it impossible for starving peoples to migrate from their devastated fields, as they did during past famines.

Climatologists are pessimistic that political leaders will take any positive action to compensate for the climatic change, or even to allay its effects. They concede that some of the more spectacular solutions proposed, such as melting the Arctic ice cap by covering it with black soot or diverting arctic rivers, might create problems far greater than those they solve. But the scientists see few signs that government leaders anywhere are even prepared to take the simple measures of stockpiling food or of introducing the variables of climatic uncertainty into economic projections of future food supplies. The longer the planners delay, the more difficult will they find it to cope with climatic change once the results become grim reality.

SPECIAL ORDERS GRANTED

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

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

Ms. WOOLSEY, for 5 minutes, today.

Mr. MURPHY of Connecticut, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. TAYLOR, for 5 minutes, today.

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

Mr. GINGREY of Georgia, for 5 minutes, today.

Ms. FOXX, for 5 minutes, March 23.

Mr. POE of Texas, for 5 minutes, March 25.

Mr. JONES, for 5 minutes, March 25.

Mr. GOODLATTE, for 5 minutes, today.

Ms. GINNY BROWN-WAITE of Florida, for 5 minutes, today.

Mr. REICHERT, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. COHEN, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 303. An act to reauthorize and improve the Federal Financial Assistance Management Improvement Act of 1999; to the Committee on Oversight and Government Reform.

S. 620. An act to repeal the provision of law that provides automatic pay adjustments for Members of Congress; to the Committee on House Administration in addition to the Committee on Oversight and Government Reform for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S.J. Res. 8. Joint resolution providing for the appointment of David M. Rubenstein as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 9. Joint resolution providing for the appointment of France A. Córdova as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

ADJOURNMENT

Mr. POE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Thursday, March 19, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

911. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's 2009 compensation program adjustments, including the Agency's current salary range structure and the performance-based merit pay matrix, in accordance with section 1206 of the Financial Institutions, Reform, Recovery, and Enforcement Act of 1989; to the Committee on Agriculture.

912. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting notification of two violations of the Anti-Deficiency Act, as required by 31 U.S.C. 1517(b); to the Committee on Appropriations.

913. A letter from the Comptroller, Department of Defense, transmitting notification of an Antideficiency Act violation, Army case number 08-01, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

914. A letter from the Director, Office of Management and Budget, transmitting a letter maintaining that there is at least a 75 percent spend-out rate for the economic recovery package as a whole as the legislation moves through the Senate and House and into conference; to the Committee on Appropriations.

915. A letter from the Assistant Secretary for Reserve Affairs, Department of Defense, transmitting the Department's annual report for 2008 on the STARBASE Program, pursuant to 10 U.S.C. 2193b(g); to the Committee on Armed Services.

916. A letter from the Acting Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting the Department's report on the Critical Skills Retention Bonus (CSRB) program, pursuant to 37 U.S.C. 355(h); to the Committee on Armed Services.

917. A letter from the Assistant Secretary for Manpower & Reserve Affairs, Department of the Army, transmitting the Department's annual report on recruiting incentives, pursuant to Public Law 109-163, section 681; to the Committee on Armed Services.

918. A letter from the Chair, Congressional Oversight Panel, transmitting the Panel's report, pursuant to Public Law 110-343, section 125(b); to the Committee on Financial Services.

919. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's ''Major'' final rule — Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs; Final Rule [Docket No. FR-4998-F-02] (RIN: 2501-AD16) received March 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

920. A letter from the Director, United States Mint, Department of the Treasury, transmitting the Annual Report for 2008 from the United States Mint; to the Committee on Financial Services.

921. A letter from the Acting Assistant Secretary Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's report entitled, ''Report to Congress on Renewable Energy Resource Assessment Information for the United States,'' pursuant to 42 U.S.C. 15851(b), section 201(b); to the Committee on Energy and Commerce.

922. A letter from the Acting Chairman, Federal Energy Regulatory Commission, transmitting the Commission's report describing the progress made in licensing and constructing the Alaska natural gas pipeline and describing any issue impeding that progress, pursuant to Section 1810 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

923. A letter from the Director, International Cooperation, Department of Defense, transmitting pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 01-09 informing of an intent to sign a Memorandum of Understanding between the United States of America and Australia concerning Cooperation in the P-8A Poseidon Spiral Development One Development Program; to the Committee on Foreign Affairs.

924. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's weekly reports for the December 15, 2008 to February 15, 2009 reporting period on matters relating to post-liberation Iraq, pursuant to Public Law 105-338, section 7; to the Committee on Foreign Affairs.

925. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting A MEMORANDUM OF JUSTIFICATION FOR DETERMINATION AND CERTIFICATION ON THE MAJOR METHAMPHETAMINE PRECURSOR CHEMICAL EXPORTING AND IMPORTING COUNTRIES, pursuant to Public Law 109-177, section 722; to the Committee on Foreign Affairs.

926. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's annual International Narcotics Control Strategy Report, prepared in accordance with section 489 of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

927. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's report entitled, ''Country Reports on Human Rights Practices for 2008,'' pursuant to Sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

928. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

929. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

930. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

931. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

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936. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

937. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

938. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

939. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

940. A letter from the Acting Director Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Annual Sunshine Act Report for 2008, pursuant to 5 U.S.C. 552b(j); to the Committee on Oversight and Government Reform.

941. A letter from the Director, Office of Government Ethics, transmitting the Office's fiscal year 2008 Annual Federal Information Security Management Act (FISMA) and Privacy Management Report, pursuant to 44 U.S.C. 3544(c); to the Committee on Oversight and Government Reform.

942. A letter from the Secretary of the Board of Governors, United States Postal Service, transmitting the Service's report, as required by Section 3686(c) of the Postal Accountability and Enhancement Act of 2006; to the Committee on Oversight and Government Reform.

943. A letter from the President and Chief Executive Officer, Amtrak, National Railroad Passenger Corporation, transmitting the Corporation's FY 2010 Grant and Legislative Request, pursuant to 49 U.S.C. 24315(b); to the Committee on Transportation and Infrastructure.

944. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Coast Guard Academy Commencement, New London, CT [Docket No. USCG-2008-0415] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

945. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, ''Strategies for the Commercialization and Deployment of Greenhouse Gas Intensity Reducing Technologies and Practices,'' pursuant to Title XVI of the Energy Policy Act of 2005; jointly to the Committees on Science and Technology, Energy and Commerce, and the Judiciary.

946. A letter from the Deputy Secretary, Department of the Interior, transmitting draft legislation entitled, ''Albatross and Petrel Conservation Act of 2009''; jointly to the Committees on Natural Resources, Transportation and Infrastructure, the Judiciary, Ways and Means, and Foreign Affairs.

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:

Ms. PINGREE of Maine: Committee on Rules. House Resolution 257. Resolution providing for consideration of motions to suspend the rules (Rept. 111–40). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. PAULSEN (for himself, Mr. LANCE, Mr. LEE of New York, Mr. ROE of Tennessee, Mr. POSEY, Mr. GUTHRIE, Mr. SCHOCK, Mr. MCCLINTOCK, Mr. OLSON, Ms. JENKINS, Mr. LUETKEMEYER, Mr. ROONEY, Mr. THOMPSON of Pennsylvania, Mr. CAO, Mrs. LUMMIS, Mr. CHAFFETZ, Mr. AUSTRIA, Mr. HARPER, Mr. HUNTER, Mr. COFFMAN of Colorado, Mr. CASSIDY, Mr. FLEMING, and Mr. CONNOLLY of Virginia):

H.R. 1577. A bill to require the Secretary of the Treasury to pursue every legal means to stay or recoup certain incentive bonus payments and retention payments made by American International Group, Inc. to its executives and employees, and to require the Secretary's approval of such payments by any financial institution who receives; to the Committee on Financial Services.

By Mr. KILDEE:

H.R. 1578. A bill to authorize the Secretary of Education to make grants to support early college high schools and other dual enrollment programs; to the Committee on Education and Labor.

By Mr. FATTAH:

H.R. 1579. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for contributions to a trust used to provide need-based college scholarships; to the Committee on Ways and Means.

By Mr. GORDON of Tennessee (for himself, Mr. THOMPSON of California, Mr. BAIRD, Mr. CARNAHAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WU, and Mr. LUJÁN):

H.R. 1580. A bill to authorize the Administrator of the Environmental Protection Agency to award grants for electronic waste reduction research, development, and demonstration projects, and for other purposes; to the Committee on Science and Technology.

By Ms. SCHAKOWSKY (for herself and Mr. CANTOR):

H.R. 1581. A bill to optimize the delivery of critical care medicine and expand the critical care workforce; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATOURETTE (for himself, Mr. MCCOTTER, Mr. AUSTRIA, Ms. FOXX, Mr. UPTON, Mr. COLE, Mr. SESSIONS, Mr. FORTENBERRY, Mr. LOBIONDO, Mr. SIMPSON, Mr. ROGERS of Michigan, Mr. DENT, Mr. EHLERS, Mr. BURTON of Indiana, Mr. LINCOLN DIAZ-BALART of Florida, Mr. TIBERI, Mr. LATHAM, Mr. MARCHANT, Mr. TURNER, Mr. ROONEY, Mr. REICHERT, Mr. ROE of Tennessee, Mr. NUNES, Mr. ROGERS of Kentucky, Mr. MORAN of Kansas, Mr. GOODLATTE, Mr. HASTINGS of Washington, Mr. MCHUGH, Mr. BROUN of Georgia, Mrs. BONO MACK, Mr. LUETKEMEYER, and Mr. AKIN):

H.R. 1582. A bill to amend the Emergency Economic Stabilization Act of 2008 to strike a provision included in a recent amendment of such Act; to the Committee on Financial Services.

By Mr. DEFAZIO (for himself, Mr. TAYLOR, Ms. KAPTUR, Mr. BAIRD, Mr. HARE, and Mr. NADLER of New York):

H.R. 1583. A bill to further competition in the insurance industry; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself, Mr. LOBIONDO, Mr. FRANK of Massachusetts, Mr. JONES, Mr. KENNEDY, Mr. ADLER of New Jersey, Ms. GINNY BROWN-WAITE of Florida, and Mr. MCINTYRE):

H.R. 1584. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to extend the authorized time period for rebuilding of certain overfished fisheries, and for other purposes; to the Committee on Natural Resources.

By Mr. KIND (for himself, Mr. WAMP, Mr. INSLEE, Mrs. DAVIS of California, and Mr. HOLT):

H.R. 1585. A bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education; to the Committee on Education and Labor.

By Mr. RANGEL (for himself, Mr. ISRAEL, Mr. PETERS, Mrs. MALONEY, Mr. STARK, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. TANNER, Mr. POMEROY, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. PASCRELL, Ms. BERKLEY, Mr. VAN HOLLEN, Mr. MEEK of Florida, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. ETHERIDGE, Ms. LINDA T. SÁNCHEZ of California, Mr. HIGGINS, Mr. YARMUTH, Mr. DINGELL, Mr. CONNOLLY of Virginia, Ms. FUDGE, Mr. LUJÁN, Mr. MAFFEI, Mr. PERRIELLO, Mr. CARNEY, Ms. CASTOR of Florida, Ms. CLARKE, Mr. COHEN, Mr. ELLISON, Mr. HALL of New York, Mr. HARE, Mr. KLEIN of Florida, Mr. LOEBSACK, Ms. SCHAKOWSKY, Mr. SIRES, Mr. WELCH, Mr. WILSON of Ohio, Mr. WU, and Mr. HILL):

H.R. 1586. A bill to impose an additional tax on bonuses received from certain TARP recipients; to the Committee on Ways and Means.

By Mr. REHBERG (for himself, Mr. BURGESS, Mr. POMEROY, and Mr. SIMPSON):

H.R. 1587. A bill to amend the lead prohibition provisions of the Consumer Product Safety Improvement Act of 2008 to provide an exemption for certain off-highway vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PRICE of Georgia (for himself, Mr. AKIN, Mr. BARTLETT, Mrs. BIGGERT, Mr. BILBRAY, Mr. BILIRAKIS, Mrs. BLACKBURN, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mr. DEAL of Georgia, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GINGREY of Georgia, Mr. HELLER, Mr. HERGER, Mr. JONES, Mr. JORDAN of Ohio, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LATTA, Mr. LUCAS, Mr. MARCHANT, Mr. MCHENRY, Mr. MILLER of Florida, Mr. PAUL, Mr. PETRI, Mr. POE of Texas, Mr. REHBERG, Mr. ROHRABACHER, Mr. SHUSTER, Mr. SIMPSON, Mr. SMITH of Nebraska, Mr. SULLIVAN, Mr. WESTMORELAND, and Mr. WOLF):

H.R. 1588. A bill to ensure that an employer has the freedom to implement English in the workplace policies; to the Committee on Education and Labor.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. EHLERS, Mrs. CAPPS, Mr. COHEN, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HARE, Mr. HASTINGS of Florida, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Ms. LEE of California, Mr. MEEKS of New York, Mrs. NAPOLITANO, Mr. REYES, Mr. SIRES, Ms. SUTTON, and Mr. DAVIS of Illinois):

H.R. 1589. A bill to amend the Safe and Drug-Free Schools and Communities Act to authorize the use of grant funds for gang prevention, and for other purposes; to the Committee on Education and Labor.

By Mr. SMITH of New Jersey (for himself, Mr. WOLF, Mr. ACKERMAN, Mr. BURTON of Indiana, Mr. NADLER of New York, Mr. MCCOTTER, Mr. SHERMAN, and Mr. COHEN):

H.R. 1590. A bill to provide assistance for the Museum of the History of Polish Jews in Warsaw, Poland; to the Committee on Foreign Affairs.

By Mr. ADLER of New Jersey (for himself, Mr. LOBIONDO, Mr. YOUNG of

Alaska, Mr. KLEIN of Florida, Mr. ELLISON, Mr. NYE, Mr. MITCHELL, and Mr. MICHAUD):

H.R. 1591. A bill to amend title 38, United States Code, to clarify that the United States may not recover or collect any charges from a third party for hospital care or medical services provided by the Secretary of Veterans Affairs to a veteran for a service-connected disability; to the Committee on Veterans' Affairs.

By Mr. BILIRAKIS:

H.R. 1592. A bill to amend title 37, United States Code, to guarantee a pay increase for members of the uniformed services for fiscal years 2011 through 2014 of one-half of one percentage point higher than the Employment Cost Index; to the Committee on Armed Services.

By Mr. LARSEN of Washington:

H.R. 1593. A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Ms. LEE of California (for herself, Ms. WOOLSEY, Mr. COHEN, and Mr. FILNER):

H.R. 1594. A bill to amend the Internal Revenue Code of 1986 to limit the deductibility of excessive rates of executive compensation; to the Committee on Ways and Means.

By Mr. LEE of New York (for himself, Mr. HIGGINS, Ms. SLAUGHTER, Mr. MAFFEI, Mr. MASSA, Mr. ARCURI, Mr. MCHUGH, Mr. HINCHEY, Mr. TONKO, Mr. HALL of New York, Mrs. LOWEY, Mr. ENGEL, Mr. SERRANO, Mr. RANGEL, Mrs. MALONEY, Mr. MCMAHON, Ms. VELÁZQUEZ, Ms. CLARKE, Mr. WEINER, Mr. NADLER of New York, Mr. CROWLEY, Mr. MEEKS of New York, Mr. ACKERMAN, Mrs. MCCARTHY of New York, Mr. KING of New York, Mr. ISRAEL, and Mr. BISHOP of New York):

H.R. 1595. A bill to designate the facility of the United States Postal Service located at 3245 Latta Road in Rochester, New York, as the ''Brian K. Schramm Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. LEWIS of Georgia (for himself, Mr. BOUSTANY, Mr. RANGEL, Mr. MCDERMOTT, Mr. STARK, Ms. MATSUI, Mr. PRICE of North Carolina, Mr. PLATTS, Ms. BERKLEY, Mr. BLUMENAUER, Mr. DOGGETT, Mr. SARBANES, Mr. FARR, Ms. SHEA-PORTER, Mr. MORAN of Virginia, Mr. GRIJALVA, Mr. YARMUTH, Ms. SCHAKOWSKY, Mr. WELCH, Mr. HIGGINS, Mr. ETHERIDGE, Mr. DAVIS of Illinois, Mr. POMEROY, Mr. UPTON, Mr. CARNAHAN, Ms. SUTTON, Ms. HIRONO, Ms. DELAURO, Mr. FATTAH, Mr. VAN HOLLEN, Mr. GONZALEZ, and Mr. MASSA):

H.R. 1596. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for AmeriCorps educational awards; to the Committee on Ways and Means.

By Mr. MATHESON:

H.R. 1597. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MOORE of Wisconsin:

H.R. 1598. A bill to amend the Internal Revenue Code of 1986 to impose a higher rate of tax on bonuses paid by businesses receiving TARP funds; to the Committee on Ways and Means.

By Mr. SESSIONS:

H.R. 1599. A bill to require survivor annuity payments made to disabled dependents to be disregarded in eligibility and benefit determinations under the supplemental security income (SSI) and Medicaid Programs; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESTAK (for himself, Mr. RODRIGUEZ, and Mr. JONES):

H.R. 1600. A bill to amend title 10, United States Code, to provide for the treatment of autism under TRICARE; to the Committee on Armed Services.

By Mr. SESTAK:

H.R. 1601. A bill to require the Secretary of Defense to require members of the Armed Forces, before being deployed, to be trained in management of contracts and contractors; to the Committee on Armed Services.

By Mr. SESTAK:

H.R. 1602. A bill to authorize the Secretary of the Navy to convey, without consideration, to Piasecki Aircraft Corporation the right, title, and interest of the United States in and to Navy aircraft N40VT, and for other purposes; to the Committee on Armed Services.

By Mr. WILSON of Ohio:

H.R. 1603. A bill to require institutions receiving large amounts of assistance under TARP to restrict compensation increases for officers, directors, and employees to the Federal civil service pay increase; to the Committee on Financial Services.

By Ms. GIFFORDS (for herself and Mr. GENE GREEN of Texas):

H. Res. 258. A resolution expressing the sense of the House of Representatives regarding drug trafficking in Mexico; to the Committee on Foreign Affairs.

By Mr. BOOZMAN (for himself and Mr. SKELTON):

H. Res. 259. A resolution expressing the gratitude and appreciation of the House of Representatives for the acts of heroism and military achievement by the members of the United States Armed Forces who participated in the June 6, 1944, amphibious landing at Normandy, France, and commending them for leadership and valor in an operation that helped bring an end to World War II; to the Committee on Armed Services.

By Mr. COHEN (for himself, Mr. MCGOVERN, Ms. MCCOLLUM, Mr. BUTTERFIELD, Mr. MASSA, Mr. DAVIS of Illinois, Mr. SCOTT of Virginia, Mr. LEWIS of Georgia, Ms. MOORE of Wisconsin, Ms. DELAURO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SARBANES, Mrs. NAPOLITANO, Ms. LEE of California, Ms. BORDALLO, Ms. EDWARDS of Maryland, and Mr. WAMP):

H. Res. 260. A resolution supporting efforts to reduce infant mortality in the United States; to the Committee on Energy and Commerce.

By Mr. FRELINGHUYSEN:

H. Res. 261. A resolution expressing the sense of the House of Representatives that the Department of Veterans Affairs should not retreat from its responsibility to support those veterans with combat wounds or service-connected disabilities; to the Committee on Veterans' Affairs.

By Mrs. MALONEY (for herself, Mr. HINCHEY, and Mr. FILNER):

H. Res. 262. A resolution expressing the strong concern of the House of Representatives about the actions of the Taliban in Swat, Pakistan, to restrict girls' access to education; to the Committee on Foreign Affairs.

By Mr. TIBERI:

H. Res. 263. A resolution expressing support for designation of the month of September as ''National Brain Aneurysm Awareness Month''; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

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

H.R. 22: Mr. CARSON of Indiana, Mr. MCINTYRE, Mr. CLAY, Ms. GINNY BROWN-WAITE of Florida, and Mr. THORNBERRY.

H.R. 23: Mr. SCHIFF, Mr. DUNCAN, Mr. MICA, Mr. TONKO, and Mr. MILLER of Florida.

H.R. 24: Ms. ESHOO, Mr. THOMPSON of California, Mr. MILLER of Florida, Mr. LINDER, Ms. WATERS, Ms. ROYBAL-ALLARD, Mr. HILL, Mr. KIRK, Mr. ANDREWS, and Mr. GALLEGLY.

H.R. 31: Mr. KIND, Mr. GENE GREEN of Texas, Mr. HALL of Texas, and Mr. STARK.

H.R. 42: Mr. HONDA, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. SABLAN, Mr. GRIJALVA, Ms. MATSUI, Mr. ISSA, Ms. JACKSON-LEE of Texas, Mr. ABERCROMBIE, Mr. AL GREEN of Texas, and Mr. DANIEL E. LUNGREN of California.

H.R. 60: Mr. SIRES.

H.R. 179: Mr. WEXLER.

H.R. 197: Mr. FRANKS of Arizona, Mr. FLEMING, Mr. LINDER, Mr. ALTMIRE, and Ms. GINNY BROWN-WAITE of Florida.

H.R. 303: Ms. GIFFORDS.

H.R. 406: Mr. PETERSON and Mr. CARSON of Indiana.

H.R. 413: Mr. DINGELL, Mrs. MALONEY, Mr. WAMP, Mr. COURTNEY, Ms. MATSUI, Mr. BRALEY of Iowa, Mr. SESTAK, Ms. SUTTON, Mrs. LOWEY, Mr. JONES, Mr. DICKS, Mr. MURTHA, Mr. PASCRELL, Ms. CORRINE BROWN of Florida, Ms. DEGETTE, Mr. BERMAN, Mr. ROTHMAN of New Jersey, Mr. STUPAK, Mrs. EMERSON, Ms. ROS-LEHTINEN, Mr. LOEBSACK, Mrs. MILLER of Michigan, Mr. WALZ, and Mr. HASTINGS of Florida.

H.R. 484: Ms. ROS-LEHTINEN, Mr. BOUCHER, Mr. MICA, and Mr. BRALEY of Iowa.

H.R. 510: Mr. SKELTON.

H.R. 528: Ms. SLAUGHTER.

H.R. 574: Mr. ROSS, Mr. WILSON of Ohio, Mr. WILSON of South Carolina, Ms. HIRONO, Mr. TIERNEY, and Mr. BRADY of Pennsylvania.

H.R. 626: Mr. TIM MURPHY of Pennsylvania.

H.R. 673: Mr. RANGEL.

H.R. 734: Mr. BLUNT and Mr. CONNOLLY of Virginia.

H.R. 746: Mr. JOHNSON of Georgia and Mr. BRADY of Pennsylvania.

H.R. 832: Mr. PAYNE.

H.R. 864: Mr. SCHOCK.

H.R. 885: Mr. COURTNEY, Mr. TAYLOR, Mr. MURTHA, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, Mr. CLEAVER, Mr. GONZALEZ, Mr. MEEKS of New York, Mr. PAYNE, Mr. WATT, Mr. AL GREEN of Texas, Ms. Linda T. SÁNCHEZ of California, and Mr. DOYLE.

H.R. 890: Mr. GEORGE MILLER of California.

H.R. 903: Ms. JACKSON-LEE of Texas.

H.R. 936: Mr. YOUNG of Florida.

H.R. 953: Mr. YOUNG of Alaska and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 957: Mr. LOEBSACK.

H.R. 958: Mrs. MALONEY, Mr. CARNAHAN, Mr. GORDON of Tennessee, Mr. UPTON, Mr. WALZ, Mrs. CAPPS, and Mr. TIM MURPHY of Pennsylvania.

H.R. 980: Mr. KILDEE.

H.R. 1016: Mr. GERLACH.

H.R. 1026: Mr. DEAL of Georgia.

H.R. 1027: Mr. PAUL, Mr. HERGER, and Mr. FORTENBERRY.

H.R. 1050: Mr. TIM MURPHY of Pennsylvania.
H.R. 1085: Mr. KENNEDY.
H.R. 1090: Ms. GINNY BROWN-WAITE of Florida.
H.R. 1098: Mr. MASSA, Ms. BORDALLO, Mr. FILNER, and Mr. RODRIGUEZ.
H.R. 1101: Ms. MARKEY of Colorado.
H.R. 1136: Mr. HALL of Texas.
H.R. 1139: Mr. PIERLUISI.
H.R. 1142: Mrs. LOWEY.
H.R. 1191: Ms. HIRONO and Mr. VAN HOLLEN.
H.R. 1196: Mr. HASTINGS of Florida.
H.R. 1204: Mr. BONNER, Mr. COOPER, and Mr. DEFAZIO.
H.R. 1205: Mr. ELLSWORTH, Mr. MACK, Ms. BEAN, Mr. CARSON of Indiana, and Mr. FRANK of Massachusetts.
H.R. 1207: Mr. FLEMING.
H.R. 1211: Mr. FRANK of Massachusetts.
H.R. 1214: Mr. JACKSON of Illinois.
H.R. 1228: Mr. GARY G. MILLER of California.
H.R. 1229: Mr. GARY G. MILLER of California.
H.R. 1238: Mr. MCCOTTER.
H.R. 1242: Mr. CARNAHAN and Mr. GINGREY of Georgia.
H.R. 1247: Ms. SCHAKOWSKY and Mr. BACA.
H.R. 1256: Mr. KUCINICH and Mr. DICKS.
H.R. 1261: Mr. PETERSON and Mr. MCHENRY.
H.R. 1285: Ms. ZOE LOFGREN of California.
H.R. 1305: Mr. ENGEL.
H.R. 1317: Mrs. BONO MACK.
H.R. 1327: Mr. BISHOP of Georgia, Mr. PLATTS, Mr. WEXLER, Mrs. BONO MACK, Mr. LOBIONDO, Mr. HASTINGS of Florida, and Mr. ROONEY.
H.R. 1332: Mr. RANGEL.
H.R. 1337: Mrs. LOWEY.
H.R. 1340: Mr. CONNOLLY of Virginia.
H.R. 1346: Mr. HIMES.
H.R. 1362: Mr. SPRATT, Mr. JOHNSON of Georgia, Mr. PATRICK J. MURPHY of Pennsylvania, Ms. KAPTUR, and Mr. YARMUTH.
H.R. 1382: Mr. BERMAN.
H.R. 1386: Mr. BACA, Mr. GRIJALVA, Mr. ORTIZ, and Mr. RODRIGUEZ.
H.R. 1404: Mr. BLUMENAUER, Ms. BORDALLO, and Mr. PETERSON.
H.R. 1425: Mr. SERRANO, Mr. FATTAH, and Mr. MORAN of Virginia.
H.R. 1427: Mr. THORNBERRY, Ms. SCHAKOWSKY, Mr. HIMES, and Mrs. CAPPS.
H.R. 1458: Mr. KIRK.
H.R. 1460: Mr. ROTHMAN of New Jersey.
H.R. 1485: Mr. HIMES.
H.R. 1493: Mr. MILLER of Florida.
H.R. 1511: Mrs. MALONEY.
H.R. 1518: Mr. TONKO, Mr. SERRANO, Mr. HINCHEY, Mr. SARBANES, Mr. ROTHMAN of New Jersey, Mr. GORDON of Tennessee, Mr. CONNOLLY of Virginia, Ms. RICHARDSON, and Mr. MICHAUD.
H.R. 1527: Ms. HIRONO, Mr. SCHAUER, Mr. MASSA, Mr. EDWARDS of Texas, Mr. VISCLOSKY, Mr. RODRIGUEZ, Mr. CONNOLLY of Virginia, Mr. HARE, Ms. GIFFORDS, Mr. KILDEE, Mr. HEINRICH, Mr. MAFFEI, Mr. TONKO, Mr. HINCHEY, Ms. WASSERMAN SCHULTZ, and Mr. WEXLER.
H.R. 1542: Mr. RUPPERSBERGER and Mr. COHEN.
H.R. 1543: Ms. HIRONO, Mr. COHEN, Mr. PALLONE, Mr. STARK, Mr. OBEY, Mr. RUPPERSBERGER, and Mr. HINCHEY.
H.R. 1548: Mr. SULLIVAN, Mr. CARNEY, Mr. FATTAH, Mr. HOLDEN, Mr. PASCRELL, and Mr. LARSON of Connecticut.
H.R. 1549: Mr. CARSON of Indiana.
H.R. 1551: Mr. WAXMAN, Ms. CASTOR of Florida, and Mr. LEWIS of Georgia.
H.R. 1570: Ms. SUTTON and Mr. WILSON of Ohio.
H.R. 1572: Ms. SUTTON and Mr. TANNER.
H.R. 1575: Ms. WASSERMAN SCHULTZ, Mr. BOSWELL, Mr. BACA, and Ms. JACKSON-LEE of Texas.
H. Con. Res. 48: Mr. JACKSON of Illinois and Ms. KAPTUR.
H. Con. Res. 55: Mr. KING of New York, Mr. FRANK of Massachusetts, and Mr. DAVIS of Tennessee.
H. Con. Res. 60: Ms. BORDALLO, Ms. NORTON, Mr. LUETKEMEYER, Mr. BLUNT, and Ms. JENKINS.
H. Res. 57: Mrs. TAUSCHER and Ms. JACKSON-LEE of Texas.
H. Res. 69: Mr. HASTINGS of Florida.
H. Res. 111: Mr. MCCOTTER, Mrs. MCCARTHY of New York, and Ms. MCCOLLUM.
H. Res. 156: Mr. ROGERS of Alabama.
H. Res. 171: Mr. ARCURI, Mrs. TAUSCHER, and Mr. CAPUANO.
H. Res. 175: Mr. DOGGETT and Mr. MCINTYRE.
H. Res. 200: Mrs. BIGGERT.
H. Res. 208: Mr. DAVIS of Kentucky.
H. Res. 214: Mr. HENSARLING, Mrs. LUMMIS, Mr. PAULSEN, Mr. ROGERS of Michigan, Mr. ADERHOLT, Mr. FLEMING, Mr. RYAN of Wisconsin, Mr. ROSKAM, Mrs. CAPITO, Mr. PLATTS, Ms. JENKINS, Mr. BROWN of South Carolina, Mr. BUCHANAN, Mr. MCCLINTOCK, Mrs. EMERSON, Mr. HELLER, Mr. THORNBERRY, Mr. BRADY of Texas, Mr. COLE, Mr. CAO, Mr. SENSENBRENNER, Mr. MCCAUL, Mr. CRENSHAW, Mr. MCKEON, Ms. FALLIN, Mr. GINGREY of Georgia, Mr. ROONEY, and Mr. BOEHNER.
H. Res. 217: Ms. HIRONO, Ms. SUTTON, Mr. SESTAK, Mr. GUTHRIE, and Mr. DONNELLY of Indiana.
H. Res. 232: Mr. SCHOCK.
H. Res. 234: Ms. MCCOLLUM.
H. Res. 244: Mr. JONES and Mrs. BIGGERT.
H. Res. 249: Mr. SAM JOHNSON of Texas, Mr. PETERSON, Mrs. MILLER of Michigan, and Mr. MCCARTHY of California.
H. Res. 251: Mr. MARIO DIAZ-BALART of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. MILLER of Florida, Mr. SOUDER, Mr. CAMP, Mr. FLEMING, Mr. CULBERSON, Mr. SHIMKUS, Mr. COLE, Mr. COFFMAN of Colorado, Mr. HARPER, Mr. SMITH of Texas, Mr. LOBIONDO, Mrs. BONO MACK, Mr. HERGER, Mr. ISSA, Mr. TURNER, Mr. GOODLATTE, Mr. BRADY of Texas, Mr. POE of Texas, Mr. FRANKS of Arizona, Mr. BROWN of South Carolina, and Mr. SCHOCK.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 968: Mr. LINCOLN DIAZ-BALART of Florida.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

19. The SPEAKER presented a petition of Beaufort County, North Carolina, relative to A RESOLUTION IN SUPPORT OF THE RESOURCE CONSERVATION AND DEVELOPMENT (RC&D) PROGRAM; to the Committee on Agriculture.

20. Also, a petition of the California Federation of Teachers, relative to a resolution in support of the United States and the World Act to be introduced by Congresswoman Loretta Sanchez; to the Committee on Education and Labor.

21. Also, a petition of the City of East Orange, New Jersey, relative to Resolution I–33 of 2009 In Support Of And Recommending For Consideration Certain Legislation Initiatives To Be Included Within The Pending Federal Economic Stimulus Plan; to the Committee on Education and Labor.

22. Also, a petition of the City of Miami, Florida, relative to Resolution: R–09–0017 URGING THE UNITED STATES CONGRESS TO DELAY THE FEBRUARY CONVERSION OF TELEVISION ANALOG BROADCASTS TO DIGITAL BROADCASTS UNTIL FUNDING IS AVAILABLE TO ASSIST THE PUBLIC IN PURCHASING CONVERTER BOXES IN ORDER TO BE ABLE TO WATCH LOCAL TELEVISION; to the Committee on Energy and Commerce.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, WEDNESDAY, MARCH 18, 2009 No. 47

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

O merciful Lord, enlighten our lawmakers with a clear and shining inward light and remove the shadows from their hearts. Control their wandering thoughts and prepare them to face the inevitable temptations that come. Lord, give them the peace of knowing that their times are in Your hands and that You are willing to fight the battles of all who trust in the power of Your Name. Fill their hearts with Thanksgiving, and may they take time throughout this day to praise You for Your goodness. Help them to maintain a pure conscience as the light of Your truth illumines their path. Join them to You with cords of love, and may they rejoice as they remember Your direct involvement in all the details of their lives.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL 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 18, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. UDALL of New Mexico 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 this morning, the Senate will be in a period of morning business for up to 1 hour. Senators will be recognized for up to 10 minutes each. Republicans will control the first half; the majority will control the second half. Following morning business, the Senate will proceed to executive session to debate the nomination of Ronald Kirk to be U.S. Trade Representative. There will be up to 90 minutes for debate on that nomination, with the majority controlling 30 minutes and the Republicans controlling 60 minutes. Upon conclusion of the debate, the Senate will resume consideration of H.R. 146, the lands bill. We expect to lock in the vote on confirmation on the Kirk nomination for 2 p.m. today. We also hope to be able to line up three votes on amendments that Senator COBURN has offered following the confirmation vote. Therefore, Senators should expect a series of up to four votes at 2 o'clock this afternoon.

MIDDLE-CLASS TAX RELIEF

Mr. REID. Mr. President, President John Kennedy famously said that ''a rising tide lifts all boats.''

The economic policies of the past 8 years may have lifted the privileged few to greater wealth, but they left the rest of our country to drown in shallow waters. With this new President, with this new budget, we begin to turn the page. President Obama's 2010 budget honors the middle class. It honors the middle-class values of hard work, responsibility, and opportunity.

After years of falling incomes and rising costs across the board for health care, education, groceries, gas, and retirement, this budget finally begins to bring the American dream back within the grasp of middle-class families once again. We are cutting taxes for 95 percent of working families and ending the irresponsible tax giveaways the Bush administration doled out to the superwealthy. Ninety-five percent of American households will get to keep more of each paycheck to save or spend on a mortgage payment, a doctor bill, a new car, or maybe a used car. We will expand the child tax credit for all families and increase credits available for larger families, who are more likely to live in poverty. We will help families afford the rising cost of college by making a $2,500 tuition tax credit permanent. We will help to encourage a new generation of savers by providing automatic enrollment in retirement accounts and expanding tax credits to reward the choice to save for retirement. Also, because we understand that every dollar the Federal Government invests comes from American taxpayers, we will ensure that high-level transparency and accountability exist. The taxpayers deserve this, and certainly taxpayer money deserves to be transparent and accounted for.

After 8 years of misplaced priorities, corporate greed, and failed oversight, we are facing a severe economic crisis. And that is an understatement. Senior

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

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citizens are delaying their retirement, workers are losing their jobs, and families are losing their homes. Although this hour is difficult, President Obama's budget sets the path toward recovery, and when our economy does recover, we will ensure that this time not just the yachts but all boats are lifted with the coming tide.

RECOGNITION OF THE MINORITY LEADER

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

AIG

Mr. MCCONNELL. Mr. President, the situation at AIG is an offense to the taxpayers, and we are going to get to the bottom of it even if the Department of the Treasury hasn't.

Here is a company that has been taking billions and billions of dollars from taxpayers in the middle of what could be the worst economic downturn since the Depression. Now we hear that those taxpayer dollars were going in the front door, supposedly to keep the company afloat, and then right back out the back door into the hands of those corporate officials who got us into this mess in the first place.

The Treasury Department was supposed to be minding the store. They had the authority to disburse the funds and to provide oversight. It was Treasury's responsibility to watch how these funds were being used. Obviously, they fell asleep on the job. The Treasury Department was completely asleep on the job. They need to wake up. Americans are fed up with their hard-earned tax dollars going to people who got us into this mess in the first place. They deserve to know how this happened. The American people deserve to know how this happened. The administration and the Treasury Department need to reassure the American people that this will never, ever happen again.

THE BUDGET

Mr. MCCONNELL. Mr. President, the American people are starting to get an idea about the administration's budget. They understand that it taxes too much, it spends too much, and it borrows too much, especially in the middle of an economic crisis.

On taxes, the budget includes the largest tax hike in history, diverts billions of dollars from charities here at home at a time when Americans are looking to those charities even more than they would be in normal times, and it raises taxes on small businesses.

Small businesses account for nearly three-fourths of all new private sector jobs here in our country. The budget's tax on small businesses would cause many of them to see their taxes go up significantly. This tax hits the general contractor down the street, the family restaurant, the startup technology firm, and many other businesses people deal with or work at all across our country every single day. These businesses are the engines of our economy. They are struggling, and they will struggle even more once these tax hikes go into effect. Small businesses with more than 20 workers, which account for two-thirds—two-thirds—of the small business workforce, get hit particularly hard. The President's budget includes a tax increase on more than half of those businesses. These businesses are run by men and women who make decisions based on considerations such as how much they are taxed, and if they have less money coming in as a result of higher taxes, they cut jobs, put off buying new equipment, and they take fewer risks, the kinds of risks that have always made our economy so vibrant and so innovative. These risks will be squeezed out as a result of these higher taxes.

Hundreds of thousands of Americans are losing their jobs every month. Many of these jobs are with small businesses. Higher taxes will only force these businesses to shed even more jobs. I understand the administration's desire to make good on its promises, but taxes on job creators in a recession is not the right approach. With the highest unemployment rate in 25 years, most people don't see the sense of raising taxes on small businesses, and they are absolutely right.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each and with the time equally divided, the Republicans controlling the first half hour and the majority controlling the second half hour.

The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, it is my understanding I have the first 15 minutes, and I would ask the Chair to advise me when I have 1 minute left.

The ACTING PRESIDENT pro tempore. The Chair will do so.

THE BUDGET

Mr. INHOFE. Mr. President, I don't think my State of Oklahoma is any different from any other State when you go home and you find out that people are looking at these monstrous expenditures never even dreamed of before in the history of this country. They talk about the auto bailout, $17 billion; the housing bailout—I think probably the worst one was the first one, the bank bailout that gave the authority to unelected bureaucrats to do what they are doing today. We have the economic bailout, the stimulus package. I am here today to say that as bad as all of this is, if you look at the one that is in the budget—the climate bailout—it is far worse because at least these are one-shot deals, and that would be a permanent tax every year. Over the next few weeks, we will be talking about it.

I spent nearly 10 years on this issue in the capacity of the ranking member and the chairman of the Environment and Public Works Committee. To tell the truth, for a long time I was a one-man truth squad, and now more and more people realize that the science that was supposed to be there really is not there. But that is not the important thing. As I said in the debate against the Boxer bill a year ago, let's go ahead and concede the science, even though it is not there, so that it doesn't take away from the economic arguments.

So, in my view, I think the President did a good thing, including an estimate in his budget as to how much this is going to cost. Now, his estimate was understated, I understand that, but it allows us to have an honest debate about the cost of a program of this magnitude to the American people, not to mention the enormous redistribution of wealth for pet projects and programs under the umbrella of clean energy. In fact, according to a new report by the Center for Public Integrity, the number of lobbyists seeking to influence Federal policy on climate change—that is what we are talking about here—has grown more than 300 percent in 5 years. This represents more than four lobbyists for every Member of Congress, with a slew of new interests from Main Street to Wall Street, clamoring for new taxpayer-funded subsidies.

I don't think anyone questions that in the Senate. Our Halls are inundated with people who want in on this deal. The administration's decision to include cap and trade, and the revenues it generates in the budget, forces my colleagues in the Senate to quit hiding from this issue. They are going to have to talk about it. They can no longer prevent a discussion of what a program of this magnitude is.

The public is finally beginning to pay attention. To put it simply, they are realizing cap and trade is a regressive energy tax that hits the Midwest and the South the hardest, and it hits the poor disproportionately. I don't think anyone now is questioning that because everyone has been talking about it.

While a number of lobbyists and the companies are lining up inside the beltway, Washington businesses and the consumers are coming to realize that cap and trade is designed to deliver

money and power to the Government, and there is nothing in it for the taxpayers or consumers or even for the climate.

Let me further explain at this time that with the recession and economic pain, the administration and the proponents of mandatory global warming controls now need to be honest with the American people. The purpose of these programs is to ration fossil energy by making it more expensive and less appealing to public consumption. It is so regressive in nature. All you have to do is calculate it in any State, including Colorado and Oklahoma. The poor people spend a larger percentage of their money on heating their homes and driving their vehicles—using energy.

If you need proof, the President's own OMB Director, Peter Orszag, is on record making the statement:

> The rise in prices for energy and energy-intensive goods and services would impose a larger burden, relative to income, on low-income households than on high-income households.

That is the OMB Director, who also said:

> Under a cap and trade program, firms would not ultimately bear most of the costs of the allowances, but instead would pass them along to their customers in the form of higher prices for products such as electricity and gasoline. The higher prices caused by the cap would lower real inflation-adjusted wages and real returns on capital, which would be equivalent to raising marginal tax rates on those sources of income.

No one questions this. Recently, there was an article in the Wall Street Journal—this month. It said:

> Cap and trade, in other words, is a scheme to redistribute income and wealth—but in a very curious way. It takes from the working class and gives to the affluent; takes from Miami, Ohio, and gives to Miami, FL; and takes from an industrial America that is already struggling and gives to rich Silicon Valley and Wall Street ''green tech'' investors who know how to leverage the political class.

Warren Buffet said:

> That tax is probably going to be pretty regressive. If you put a cost of issuing—putting carbon into the atmosphere—in the utility business, it's going to be borne by customers. And it's a tax hike like anything else.

Ben Stein had an op-ed piece in the Wall Street Journal in which he said:

> Why add another element of uncertainty to energy production, especially if the goal of suppressing carbon-based fuel burning can be accomplished by another means? Energy companies have enough problems as it is—including reduced supplies, political risks, and wildly changing prices of raw materials.

Jim Cramer of CNBC said this:

> Obama's budget is pushing an aggressive cap and trade program that could raise the price of energy for millions of people.

Detroit would really suffer. The Detroit News said this:

> President Barack Obama's proposed cap and trade system on greenhouse gas emissions is a giant economic dagger aimed at the nation's heartland—particularly Michigan. It is a multibillion dollar tax hike on everything that Michigan does, including making things, driving cars and burning coal.

So we have this awareness that wasn't there until this appeared in the President's budget. I have to say this. Back in the very beginning of this discussion, I was somewhat of a believer that manmade gas, anthropogenic gases, CO_2, caused global warming, until we found out what the cost is going to be, and until we looked at the science.

In terms of the costs and how it is going to impact the various States such as Ohio, Pennsylvania, Indiana, and Michigan, these States will be impacted harder than most others.

All of these reports reflect the numbers released in the President's proposed budget which estimated that a cap-and-trade program would generate $646 billion in Federal revenues through 2019. Keep in mind, that is a nice way of saying increase taxes by $646 billion. However, we now know that figure is way low.

Nearly 10 years ago—and this was my first discovery—we came this close to ratifying the Kyoto Treaty, which would have mandated all these things they are talking about doing now. That was about 10 years ago. The Wharton Econometric Forecasting Associates did an analysis and said: What could it cost if we were to sign Kyoto and live by its provisions? They found it would cost 2.4 million U.S. jobs and reduce GDP by 3.2 percent or about $300 billion a year in taxes.

Well, nearly 10 years later, we have come full circle. According to MIT, an analysis of similar legislation as the President's budget proposal suggests much higher revenues. We have gone through the Kyoto thing and then we had the Lieberman-McCain bill and then the Lieberman-Warner bill. Each time we do this, more people come in and do analyses, and they come to the same conclusion.

Then I looked at one of the more recent ones, the Sanders-Boxer bill, and that bill mandates even less aggressive emissions reduction targets, and that is 80 percent. Now they are talking about 83 percent. It would have cost approximately $366 billion a year. So you have a consistent range from $300 billion to $366 billion. That is what everyone says it is actually going to cost. It is around $350 billion if you round it off.

As bad as all this spending is—it is out of control—still, this is worse because this is something that is every year. To put it into perspective for my colleagues, I point to this chart that shows the largest tax increases in history—we remember these—in the last 50 years. I remember this one, the Clinton-Gore tax increase of 1993. I remember talking about this on the Senate floor—the inheritance tax, the marginal tax rates, the income tax, and the capital gains tax. It was a $32 billion tax increase.

By contrast, look at what we have—a $300 billion increase or 10 times greater than the largest tax increase in the last 50 years. You are going to hear that some of these revenues will fund tax relief to be returned to the people.

For the purposes of this budget proposal, the administration plans to spend $15 billion a year to fund clean energy technologies and allocate $63 billion to $68 billion per year for the making work pay tax credit campaign promise to give back to people who don't pay taxes. We have learned firsthand that, of course, this stuff wasn't true. We learned that in the consideration of the Warner-Lieberman bill, when they made the statement that they were going to give back a lot of this revenue to poor people—it turned out the same thing will be true in the case of this budget—that for each $1 a person gets back, they are paying $8.40. That is how the math works out.

You can try to make people believe they are going to be on the receiving end of this, but when it is over, the cost is $6.7 trillion, and the refund—which wasn't guaranteed; it was legislative intent—was $802 billion. I think we will have plenty of time to talk about this and bring this to the American people.

In his budget, the President wants to recycle $525 billion through the making work pay tax credit that goes to many people who don't pay income taxes. The math is not good, as we noted. It doesn't work. My colleagues may argue that at least this money will be going to a good purpose, for the cause of fighting global warming, having America lead the way. I think many find it very difficult this would happen. I add that, at times, you have to be logical on these things.

Referring to this chart, these are the figures actually used in terms of how it would have an effect if we passed one of these programs. This was based on the Lieberman-Warner bill. If we had passed it in terms of the emissions of CO_2 worldwide, you can see it doesn't have an effect. Let's assume that—which is not true but assume—there is global warming, which is not happening, as we are in a cooling period now; global warming is a result of CO_2 coming into the atmosphere, and that we want to somehow reduce the emissions of CO_2.

The problem we have with this is, if we do it unilaterally, then we in the United States are going to be paying these huge taxes.

The ACTING PRESIDENT pro tempore. The Senator has 1 minute remaining.

Mr. INHOFE. I thank the Chair. While we are paying these huge taxes, you have to keep in mind that China is not doing that, Mexico isn't doing it, and India isn't doing it. They are laughing at us. I wish there was time to finish. We document what China and Mexico are saying. They are going to be the beneficiary. If we were to limit CO_2 in our country, our jobs would have to go elsewhere. There would not be adequate energy.

In conclusion, if you look at how fast this is in terms of what happened so far, for those of us—I am not saying anything disparaging about the President; I like the guy—all of these things that are in yellow are expenditures that are unprecedented in the history of this country. Far worse than that would be if we were to pass a cap-and-trade bailout. It would cost some $6.7 trillion, as opposed to the lower figures. It is something we cannot afford. It is all pain and no climate gain.

Let me briefly go back in history. It is my understanding that the other person who was going to use time is delayed, so we have more time. I mentioned a minute ago that when Republicans were in the majority, I was the chairman of the committee called Environment and Public Works. This committee has jurisdiction over most of the energy issues we deal with.

At that time—way back during the Kyoto consideration, about 10 years ago—most people didn't believe CO_2 or anthropogenic gases were causing global warming. We were in a warming period at that time. I have an interesting speech where I take magazines, such as Time, where back in the middle 1970s they were talking about another ice age coming, and we were all going to die. I wish I had it with me now.

About 2 years ago, the same Time magazine had this polar bear standing on the last piece of ice floating around on an icecap, saying that we were all going to die; global warming is coming.

A couple things, I believe, are the motivation for this. One is publications. Probably their two largest issues were those two. They made people walking by the news stands and seeing that ''we are going to die'' think: I better see how much time we have left. It started with the U.N. IPCC, Intergovernmental Panel on Climate Change, that came out with this idea that somehow greenhouse gases are causing global warming.

When you think about it—and this was in concert with the NAS—they had reports they started giving out, summaries for policyholders. They were not based on science. They talked about how the science is all settled. It was after we realized from the Wharton School how much money this is going to cost taxpayers. After that, we were in a position where we could start analyzing it, and then the scientists started coming out of the woodwork. They were no longer intimidated.

One of the problems we had was that the scientists who were dependent upon various sources of income, either from the Government or from various organizations, such as the Heinz Foundation and Pew Foundation—so long as they said they went along with this scheme that CO_2 is causing global warming, they were getting grants. This started changing, and they started telling the truth. We now have accumulated—later today or tomorrow, I will give a talk showing how the science now has grown, where over 700 scientists who were on the other side of this issue are now on the truth side of this issue.

So the science needs to be talked about even right now during the debate. It is probably more significant that we talk about the economics and what it is going to cost people.

I can remember when Claude Allegre, who is probably the most respected scientist in France, a Socialist, was a person who was very strongly on the Al Gore side of this issue and has recently come over and said, in reevaluating, in looking at this issue and in looking at what has happened to the climate, the science is not there.

David Bellamy, a similar scientist in Great Britain, was on the other side of this issue. He has now come over.

Nir Shaviv from Israel, a top scientist who was always on the other side of this issue until about 3 years ago—I don't have the quotes here—came out and said: We are wrong on this issue, the science is not there.

By the way, we have a lot of documentation, and I invite my colleagues to go to my Web site, inhofe.senate.gov. We document what has happened in terms of the science.

This has been a 10-year journey. I sometimes think of Winston Churchill, who said:

> The truth is incontrovertible. Malice may attack it, ignorance may deride it, but in the end, there it is.

It has taken 10 years for the truth to come out so the American people realize, with all of the scary stuff going on, with Hollywood and the elitists pouring money into campaigns—and I am talking about moveon.org, George Soros, Michael Moore, and all the millions of dollars that went into campaigns. They have influenced a lot of Members of the House and Senate. But the truth is coming out now.

As this issue moves forward, I invite all of us to look at all that has happened. It is hard for people to understand this sometimes until they get to my stage in life. I have 20 kids and grandkids. None of this stuff is going to affect me, but it is going to affect future generations. I look at that and think: How can we allow all this to take place and then pass a tax increase that will do absolutely nothing?

I repeat, those who are believers who have bought into this thing and have seen the science fiction movie ''An Inconvenient Truth''—even if we do that, what good would it do for us to do it unilaterally in the United States, take the jobs and put them in countries that have no additional requirements? It would have a net increase of CO_2. That is being logical even for those who are believers that this is a problem.

Yesterday, I pointed out something I thought should be pointed out; that is, the first bailout was the $700 billion bailout. As much as I hate to say it, 74 Senators voted for that bailout. What is bad about that is this gave one person, an unelected bureaucrat, the power over $700 billion to do with as he wished. It is interesting because that was Hank Paulson, the Secretary of Treasury. Now we find the new Secretary of Treasury was in on that deal at the same time. So they put this together. A lot of this stuff was authorized by voting to give someone $700 billion to do with as he wished. Now we are paying for that, and the costs are very great.

I believe, when we look at what is going on right now, there are some scary things over and above what I have been talking about. I had occasion to make several trips to Gitmo, Guantanamo Bay. That is an asset we have had in this country since 1903. In fact, it is one of the few good deals around. We are still paying the same rent now that we paid back then. It is $4,000 a year, and we get this great big resource. It is a place to put the detainees and to go through the tribunals in a courtroom that is over there.

One of the scary things I am looking at now is a statement by President Obama that he wants to do away with the tribunals and he wants to close Gitmo or Guantanamo Bay. Here is the problem we have with that. Right now, we have 245 detainees—some call them terrorists—who are incarcerated there. Of the 245, 170 of them have no place to go. Their countries will not take them back. They cannot be repatriated anywhere. Of the 170, 110 are really like the Shaikh Mohammed-type individuals—really bad terrorists. If the President goes through with his statement that he is going to close Guantanamo Bay, there is no place else to put them, no place in the world.

This number is going to increase as we escalate in Afghanistan. It is going to be going up. Some might say: There are prisons in Afghanistan. Yes, there are two, but they will only take detainees who are Afghans. So if they are from Djibouti, Yemen, or Saudi Arabia, then they have to go someplace else. The only place we can put them right now is Guantanamo Bay.

The argument some make is there has been torture going on. That has been completely refuted. In fact, every publication, every television station, every newspaper that has gone and inspected the premises at Guantanamo Bay has come back with a report that it is better than anything in our prison system in the United States.

One of the suggestions was that we take these people and send them around to some 17 areas within the United States. One of those areas suggested is in my State of Oklahoma, which is Fort Sill. I went down to Fort Sill the other day to look at the place, trying to picture if we had a bunch of terrorist detainees there.

By the way, this will serve throughout the country as 17 magnets to bring in terrorist activity. Most people agree that would be the case.

If we were to distribute these people around, they would have to be coming into our court system since we could not use tribunals, and the rules of evidence are different in a court system.

It could be that some of these people would actually be turned loose.

It is very serious. It is something we need to keep. Every publication, every newspaper or television station that has gone to Guantanamo Bay has come back and said all these things just are not true, we need to keep Gitmo, and it has changed a lot of minds. I am hoping that is one area where we will be able to demonstrate clearly that it is a resource we must have and the world needs very much. We will be working to that cause.

Another issue that is not talked about very much in the budget is that almost everything is increased. We look at the size of the budget. We look at the deficits. The deficit for the year we are in right now could approach $2 trillion. It is just unimaginable. People criticized George W. Bush during his tenure, but if you take all the deficits for those 8 years, add them up, and divide by eight, it averaged $245 billion a year. Now we are talking about eight times that in 1 year. These amounts are horrible.

The other aspect of the budget I don't like is everything is going up, an increase in spending, except military. We have a serious problem right now that we are facing in the military; that is, during the decade of the nineties, we downgraded our military by about 40 percent. I might add that some countries that could be potential adversaries, such as China, increased tenfold during that time. We reduced. There was this euphoric attitude that the Cold War is over, we don't need a military anymore. So in the nineties, they brought down the military in terms of our force strength, in terms of our modernization program.

There were a few heroes back at that time who helped us out. One was a GEN John Jumper, before he became the Chief of the Air Force. He made a statement in 1998. He said: Now we are in a position where our best strike fighters, our best strike equipment, the F–15 and F–16, are not as good in many ways as what the Russians are making right now in the SU series. At that time, it was SU–30s, now SU–35s. We went ahead. That helped us get into the F–22 and the Joint Strike Fighter so we would again regain our superiority.

When I talk with people and tell them that when our kids go out in potential conflicts, they would be fighting people who have better equipment than we do, it is un-American, it is not believable. Right now, the best artillery piece we have is called a Paladin. It is World War II technology. You have to get out and swab the breech after every shot. Yet there are five countries, including South Africa, that make a better one than we have.

Because we lifted that awareness, we were able to step into an area of what we call Future Combat Systems, FCS, to modernize our ground equipment and other equipment they will use. There are 16 elements of the Future Combat Systems. The first is NLOS-C, non-line-of-site cannon. This would replace the Paladin, so we will have something that is state of the art. But we are not there and will not be there for several more years.

We went through the decade of the nineties downgrading our military, and then, of course, when 9/11 came, all of a sudden we were in a war. I have to be sympathetic with former President George W. Bush because he inherited a military that had been taken down, and then all of a sudden he is confronted with one or two wars or fronts he had to fight. So it has been very difficult.

It is interesting to me that many of the liberal Members of the Senate during the years we were trying to enhance our military spending are the ones who objected to that and then complained about the overworking of our Guard and Reserve. They actually are responsible for that. Yes, we are now trying to do something about it. But in this budget, we increase spending everywhere except the military. That is an area where we are going to have to be doing something.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. INHOFE. I encourage us to look at the overall budget, not just the tax increases but also how it affects other programs, such as our military.

I thank the Chair and suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Ms. STABENOW. 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.

THE BUDGET

Ms. STABENOW. Mr. President, I left a wonderful meeting with a group of organizations—many of our national faith leaders—from around the country and those who have been deeply involved in the issues around the Federal budget and expenditures and what our priorities should be as a country. There was a new optimism in the room about the direction of the country because for the first time in a long time—certainly since 2001—we have actually been talking about how does a budget reflect what is right for the majority of the American people; how do we address what is happening for children and families; middle-class workers who have lost their jobs and are trying just to put food on the table; people who have been struggling and not doing well even before the recession; the poor who find themselves hit over and over again and need to know there is a ladder out of poverty and into the middle class.

It was wonderful to see the commitment in that room and to see the fact that people around the country are coming together to focus on how we strengthen our country in very real ways. Not what has happened in the last 8 years—where it has been all about tax policies to help the privileged few, spending to help the privileged few—but how do we have a country where everybody has a chance to achieve the American dream for themselves and their families.

We talked about the fact that the budget we will be taking up next week, the week after, and every year is a moral document. It is about who we are as Americans: What do we believe in? What do we care about? I am very proud President Obama has given us a moral document that reflects the values and the priorities of the American people; the fact that he has focused on education, health care, getting us off our dependence on foreign oil so we can bring down the costs of energy and create jobs through the new green economy, and that we are turning the corner as we look at a tax policy to focus on the middle class and to focus on families who are working hard every day or trying to find a job. So these were all positive things.

But I also thought in that meeting this morning—when we were talking about the budget as a moral document—how there has been created in this country a culture of greed. Greed has been rewarded for too long at the expense of the majority of Americans—certainly at the expense of the people in my great State of Michigan. Nowhere is that more epitomized than looking at recent outrages, whether it be Bernie Madoff and what happened with all the people who were victimized and who lost their savings and all the people who have been impacted—wiped out—by a Ponzi scheme and the greed of one individual or a few individuals or turning closer to home and what we have been talking about for the last couple days, which is the outrageous bonuses—$165 million in bonuses—to a group of people at AIG who actually created the situation we are in today—not only for this country but which has created a ripple effect that has caused a global credit crisis. We look at the morality of that—the morality of $165 million in bonuses.

I am also outraged at the fact that we have put so much money into this company. Taxpayers now own 80 percent of it. Yet we have not seen the oversight, the accountability one would expect, whether it is the bonuses or anything else for that matter. Now, we all know President Obama inherited an incredible mess and is working with all of us to dig our way out, but we have to have accountability with AIG and every other entity that has stepped up to ask for or received taxpayer dollars. Bonuses? They are absolutely an outrage, especially for people who didn't deserve a bonus for their performance. In fact, many left, and should leave, because of what has been done. They should be fired, if they

haven't already left—the people who got us where we are today.

I am amazed when I look at the fact that we are providing such a different standard between those on Wall Street, who got us into this mess—AIG and others receiving taxpayer money—and what I see happening with my own auto industry in Michigan, employing directly or indirectly 3 million people. Where is the equivalent of the auto task force? I can tell you that every single line in every single budget, every single management plan, every part of the auto companies that has received a small fraction of what AIG has received has been gone through and is continuing to receive great scrutiny. I support that. They certainly are willing to do that. But where is the scrutiny on AIG? Where is the scrutiny on the other companies that have taken huge amounts of money from taxpayers?

I find it incredible when they say they can't renegotiate contracts. Somebody should tell that to the United Auto Workers, who are renegotiating contracts right now, who have opened their contracts over and over again, with workers taking more and more cuts, paying more and more in health care. Yet we hear from this company and these executives with AIG that they have contractual agreements and they can't reopen contracts? I don't think there is anybody in my State who believes that is not possible, given what our families have gone through over and over again, with people who thought they had jobs, thought they had contracts but suddenly do not.

Why is it the people who got us into this mess—with their complicated leveraging, the tools they put together that created this house of cards that has fallen and affected not only everyone in America but around the world—can't be asked to step up and reopen contracts? I don't understand that at all.

We are going to do everything we can in order to get that money back for the American taxpayers. We have seen bills introduced, and I am proud to be cosponsoring one of those bills through the Finance Committee. Our leader, Senator REID, has asked us to move as quickly as possible, and I know the Speaker of the House has as well, as has the President of the United States, and we are going to do everything we can to be able to recoup those dollars.

When we talk about what is moral in this country, whether it is the budget, whether it is bonuses of millions of dollars for people who have hurt so many, caused so much damage, created such a crisis around the world or whether it is looking at what is happening to families every day, this is a moral issue. This is a question of right and wrong. It is a question of our priorities. The budget the President has proposed focuses us back on what is important for this country, and it is critical we get that budget passed. We have middle-class families across the country right now, and really all families, who never thought they would have to worry about trying to decide whether to buy groceries or to buy medicine; worrying about what happens tomorrow—will there be food tomorrow. People are going to food banks who never thought they would have to go to a food bank. People who used to donate to the food bank are now going to the food bank, and others who have been relying on the food banks for a long time find it is getting tougher and tougher and tougher.

More than 11 percent—in fact, close to 12 percent—of the people in my State do not have jobs right now. They are unemployed. That is only the official number. That doesn't count those who have been long-term unemployed, unable to find work and are no longer counted. It also doesn't count the number of people who are working one, two, and three part-time jobs trying to hold it together. That is a moral issue.

The reason we tackled this recovery plan and so quickly brought it forward—to create jobs that we create in America, jobs in a green economy, focusing on job training and education and health care for people who have not been able to find a job so they will be able to keep health care going for their families—is because we understand what this is all about in terms of our values and priorities. Millions of families are in danger of losing their homes or have already lost their homes which is why we are focused on doing everything we can to help families, neighborhoods, and communities address the housing crisis. We know that education is the key to the future for all of us, for our children and our grandchildren. Keeping education a priority and investing in the future, in education and access to college, is a critical part of our budget because it is a critical part of the American dream.

Yes, I am outraged about AIG giving away millions in bonuses—absolutely. I am outraged about other injustices going on, about the focus over the last 8 years on those who are doing well and policies that made sure they were doing even better, oftentimes at the expense of middle-class Americans, at the expense of the majority of Americans in this country. I am outraged that billions of dollars are going to companies that do not have accountability attached to them. I know the people in Michigan are as well. But I also believe it is critical that we not only get the money back from these bonuses and provide the accountability but we redirect back to the priorities of the American people. That is what this budget is all about.

We need jobs. We need jobs in this country because, if people have money in their pockets and they can pay their bills and keep that mortgage and invest in their families' education, this country is going to turn around.

The budget the President has proposed, the budget the people with whom I met this morning are so encouraged about, is, in fact, a moral document. It changes the way this country has been operating—from a culture of greed, where somehow bonuses for AIG made sense to somebody somewhere in AIG, to a situation where we are focused again on what is important for the majority of the American people, what will allow us to be strong as a country: putting people back to work; making sure we have access to health care, which is not only the moral thing to do but brings down costs; education and investing in a new energy economy that is not dependent on anybody else but American ingenuity. That is what is in this budget, and it is a budget that reflects the priorities and the values of the American people. We need to come together in a bipartisan way to pass this as quickly as possible.

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

The PRESIDING OFFICER (Mr. BENNET). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF RONALD KIRK TO BE UNITED STATES TRADE REPRESENTATIVE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Ronald Kirk, of Texas, to be U.S. Trade Representative.

The PRESIDING OFFICER. Under the previous order, there will be 90 minutes of debate on the nomination, with the majority controlling 30 minutes and the Republicans controlling 60 minutes.

The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, as you noted, we will consider the nomination of Mr. Ron Kirk as the next U.S. Trade Representative.

With some reluctance, I will vote to confirm Mr. Kirk's nomination. I think it is pretty obvious Mr. Kirk has been less than forthcoming on a number of trade issues that affect this country, and some of the positions he has articulated are very dangerous for this Nation's future. I have come to this floor on numerous occasions and argued against the provisions that have

been signed into law in omnibus bills recently, one of them ''Buy American,'' the other, of course, the latest being the barring of Mexican trucks into the United States of America.

The signal that sends to the world is that the United States is on a path of protectionism. That shows at least a majority of Members of this body have ignored the lessons of history. That lesson, obviously, we learned in the Great Depression, when isolationism and protectionism turned our economy from a deep recession to the worst depression of modern times. That is what protectionism and isolationism does.

So we now have a predictable result of killing the program which would allow, in keeping with the North American Free Trade Agreement, a solemn treaty signed by then-President Clinton, that Mexican trucks would be allowed into the United States.

Before I go much further, though, I wished to comment on the issue that is consuming the American people and the Congress today; that is, the AIG bonuses paid to executives. The simple lesson is, if we had not bailed out AIG, we would not be worried about the bonuses. I spoke out against the bailout of AIG at the time when it was first proposed when AIG was in trouble.

I, along with every other American, share anger and obvious displeasure that these bonuses were given to executives who obviously did not deserve them. But we should not have bailed out AIG. We should have let them fail and reorganize.

I would also like to point out that another area of the bailout that Americans should be equally disturbed about is the $20 billion that went to foreign banks. American taxpayers are paying now $20 billion to bail out foreign banks. Have we not enough trouble here at home and enough areas of the country that need Government assistance than to send $20 billion to foreign banks?

There is an obvious need for increased transparency, increased oversight, and far more careful stewardship of American tax dollars. The numbers we are talking about are, indeed, staggering. I would point out, again, we are committing generational theft by these kinds of expenditures of American taxpayers' dollars and mortgaging our children and grandchildren's future.

The direction of our trade policy has hardly been more important in recent years, given the enormous economic challenges we are facing today, with unemployment rising, consumer confidence dropping, and our growth rate stagnating, at best.

American exports. American exports have been one of the few bright spots in a terrible economic situation. Until last quarter, the export sector of our economy grew at a faster rate than other sectors during the past several years. In the face of this fact, and mindful of history lessons, Congress and the administration should be working to break down remaining barriers to trade.

However, we are doing the opposite. Since the beginning of this year, Congress and the administration have taken several steps designed to choke off access to the U.S. market which invites retaliation from our foreign trading partners.

American business and workers will suffer as the result of these ill-considered moves. Last month, as I mentioned, Congress adopted and the President signed into law—again, one of the consequences of these omnibus bills that are thousands of pages, that nobody knows what is included, they are designed to be a ''stimulus'' or ''spending bill,'' and we stuff policy provisions in them, which people may not know about for weeks or even months.

We find out that these are egregious in the case of ''Buy American'' and in the case of the American trucks. Both of them send a signal to the world that America is going down the path of protectionism.

The results, as far as Mexico is concerned, are unfortunate, very unfortunate, but predictable. The reaction of our friends and allies throughout the world to the ''Buy American'' provisions is predictable. They are angry and they are upset. I cannot say I blame them.

Now, the ''Buy American'' provision required funds appropriated in that bill—this is a policy change, remember, adopted in a ''stimulus package,'' that we purchase only American-made steel, iron, and manufactured goods.

As we debated this provision, many of our closest partners expressed great concerns about the implications of this course of action. The Canadian Ambassador to the United States wrote:

> If Buy America becomes part of the stimulus legislation, the United States will lose the moral authority to pressure others not to introduce protectionist policies. A rush of protectionist actions could create a downward spiral like the world experienced in the 1930's.

When then-Candidate Obama said he would ''unilaterally renegotiate'' the North American Free Trade Agreement, the Canadian response was: Yes, and if you do that, then we will sell our oil to China. Then, later, Candidate Obama changed his position to saying: Well, that wasn't exactly what he meant. Then, President Obama said: Now we are in favor of free trade. But yet President Obama did not veto either one of these bills, which sends a signal to the world that the United States has embarked on a protectionist path. He should have vetoed those bills, especially the one on Mexican trucks.

A European Commission spokesman noted:

> We are particularly concerned about the signal that these measures could send to the world at a time when all countries are facing difficulty. Where America leads, many others tend to follow.

Others lent their own voices to those cautioning against a terribly ill-timed protectionist act.

While some Senators may have taken comfort in last-minute language added to require that implementation of the ''Buy American'' provisions be consistent with our international obligations, I worry very much about the effect this and other steps will have on the global trading system. For decades the United States has led global efforts toward free and open trade and investment. We abandon this leadership at our peril.

The ''Buy American'' provision was not the only step in the protectionist direction. There have been other protectionist measures, and we are already seeing the fallout from such unwise decisions. Mr. KIRK agreed during his confirmation hearing:

> [I]f the United States raises barriers in our own market, other countries are more likely to raise barriers against our products.

We have that evidence already. On Monday, the Mexican Government announced it will increase tariffs on 90 American agricultural and manufactured goods in direct retaliation for our recent decision to ban Mexican trucks from traveling beyond commercial zones. Although the Mexican Government is yet to specify the 90 different goods, it has announced that its decision would affect $2.4 billion worth of exports from 40 States. The Mexican Ambassador had an article in the Wall Street Journal this morning.

I ask unanimous consent that it be printed in the RECORD, along with an editorial from this morning from the Arizona Republic.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Mar. 18, 2009]

CONGRESS DOESN'T RESPECT NAFTA

Nobody can argue that Mexico hasn't worked tirelessly for more than a decade to avoid a dispute with the United States over Mexican long-haul trucks traveling through this country. But free and fair trade hit another red light this past week.

Back in 1995, the U.S. unilaterally blocked the implementation of the North American Free Trade Agreement's cross-border trucking provisions, just as they were about to enter into force. In response, and after three years of constant engagement, Mexico had no alternative but to request the establishment of an arbitration panel as allowed under Nafta. A five-member panel, chaired by a Briton and including two U.S. citizens, ruled unanimously in February 2001 that Washington had violated the trucking provisions contained in Nafta, authorizing Mexico to adopt retaliatory measures. Yet once again, Mexico exercised restraint and sought a resolution of this issue through further dialogue.

Unfortunately, Mexico's forbearance only seemed to make matters worse. In 2002, Congress introduced 22 additional safety requirements that Mexican trucks would have to meet, a measure that was clearly discriminatory as these requirements were not applied to U.S. and Canadian carriers operating in the U.S. Mexico worked assiduously with the U.S. administration to find a solution to this problem.

Finally, in 2007 an agreement was reached that included the implementation of a demonstration program in which up to 100 carriers from each nation would be allowed to participate. This program was designed precisely to address the concerns voiced by

those opposed to cross-border trucking. The demonstration program, launched in September 2007, was an unmitigated success. During the 18 months that the program was in operation, 26 carriers from Mexico (with 103 trucks) and 10 from the U.S. (with 61 trucks) crossed the border over 45,000 times without any significant incident or accident. Moreover, according to reports of both the Department of Transportation's inspector general and an independent evaluation panel, Mexico's carriers participating in the program have a safety record far better than that of all other carriers operating in the U.S.

The demonstration program also underscored the benefits of free and fair cross-border trade, given the lower costs that would result from ending the requirement that short-haul trucks be used to transfer cargo at the border from the long-haul trucks of one country to those of the other. Thus, for example, one participating carrier saved over $600,000 a year by cutting trip times and fuel costs, while another saved an estimated $188,000 in transfer fees in the nine months that it participated in the demonstration program.

These savings benefit consumers and enhance North American competitiveness. Moreover, a streamlined system would also cut pollution, since fewer and newer Mexican long-haul trucks would replace smaller and older trucks that now huff and puff their way to the border. Unfortunately, notwithstanding these benefits to businesses and workers, and to the safety of our roads and the health of our environment, a small but vocal group has consistently blocked progress on this issue. It has now finally managed to stop the demonstration program by defunding it through the 2009 omnibus spending bill.

In confronting this situation, the government of Mexico—after over a decade of dialogue and engagement in which it has asked for nothing more than U.S. compliance with its international commitments and with the rules of the game that provide for a level playing field—has had no alternative but to respond by raising tariffs on 90 U.S. products that account for approximately $2.4 billion in trade.

Today, opponents within Congress continue to allege concerns related to the safety of America's roads—yet they cancelled the very program designed to address such concerns, and which had been producing positive results. After all, the cross-border trucking program that was defunded had been demonstrating not only compliance by Mexico's long-haul trucks with U.S. regulations, but a superb and unmatched record of safety. It is precisely because of our firm belief in the importance of cross-border services that the government of Mexico will continue, as a sign of good-faith and notwithstanding the countermeasures announced early this week, to allow U.S. carriers to provide trucking services into Mexico under the now-defunct demonstration program guidelines and criteria.

Mexico is the U.S.'s second-largest buyer of exports. It remains a steadfast supporter of free and fair trade, and will continue to work actively and responsibly during the coming weeks and months with Congress and the administration to find a solution that will allow safe Mexican trucks onto U.S. roads under Nafta rules.

[From the Arizona Republic, Mar. 18, 2009]

U.S. IN THE WRONG BY BLOCKING MEXICAN TRUCKS

America is picking a food fight with Mexico over trade. Congress set it off by canceling a pilot program that allowed Mexican trucks to operate on U.S. highways—a blatant violation of the North American Free Trade Agreement.

Mexico responded Monday by announcing that it will jack up tariffs on 90 U.S. agricultural and manufactured products. About $2.4 billion worth of exports from 40 states will be affected.

Under NAFTA, we agreed to give Mexican trucks access beginning in 1995, increasing efficiency and lowering costs for consumers.

But U.S. trucking interests and unions have been trying to block the move for years with scare stories about safety. Actually, thousands of Mexican trucks, which were grandfathered in, have operated safely here for years. The pilot program set high standards for vehicles and drivers. The real issue isn't safety but competition and profits.

President Barack Obama, who was cool to NAFTA during the campaign, must step up to ensure the United States finally follows its treaty obligations. The White House says he is working on a new version of the pilot program that responds to congressional concerns. It needs to happen quickly.

Sen. John McCain, R-Ariz., is sounding a timely warning that this dispute could lead to more protectionist measures.

Let the trucks roll.

Mr. McCAIN. The Mexican Ambassador says, in part of his article:

The U.S. Congress, which has now killed a modest and highly successful U.S.-Mexico trucking demonstration program, has sadly left my government no choice but to impose countermeasures after years of restraint and goodwill.

Then and now, this was never about the safety of American roads or drivers; it was and has been about protectionism, pure and simple.

He is right. It is also a testimony to the influence of the Teamsters Union. Elections have consequences.

He goes on to say:

It is worth noting that this takes place shortly after Mexico announced it would unilaterally reduce its industrial tariffs from an average of 10.4% in 2008 to 4.3% by 2013, and that it has underscored its commitment, along with its other G–20 partners, to push back on protectionist pressures.

What has been particularly frustrating in this long and uphill battle has been the fact that the Congress continues to move the goalposts.

Importantly, he concludes:

Mexico is the U.S.'s second largest buyer of exports. It remains a steadfast supporter of free and fair trade, and will continue to work actively and responsibly during the coming weeks and months with Congress and the administration to find a solution that will allow safe Mexican trucks onto U.S. roads under Nafta rules.

Again, NAFTA was signed by President Clinton 14 years ago. Part of that agreement was that Mexican trucks would be allowed into the United States. Study after study has concluded that Mexican trucks operate as safely as U.S. trucks do.

Today, on goods America buys coming from Mexico, the truck, after crossing the border, if it is Mexican, has to stop. The goods are offloaded onto another truck, moved to another truck that is American-owned and loaded onboard that truck. Meanwhile, there are CO_2 emissions and the cost and expenses of the delay are passed on to the American consumer.

I repeat, Mexico is the third largest trading partner of the United States, behind Canada and China, and the United States ranks first among Mexico's trading partners. United States trade with Mexico totaled $368 billion in 2008. We have close and growing ties between our two Governments. Right now there is an existential threat to our southern neighbor from drug cartels. The violence on the border is at unprecedented levels. Acts of cruelty and murder are taking place beyond belief. People are being beheaded. There is the assassination of police chiefs and others. The corruption is very high. Why should we care? One reason we should care is because of violence spilling over from the Mexican border into ours.

The other reason is, there is between, according to estimates, $10 and $13 billion worth of revenue in receipts from the sale of drugs in the United States. It is the United States that is creating the market that is creating the drug cartels and violence on the border that has ensued. The Mexican Government is trying—maybe for the first time in as serious a way as they are now—to bring under control these cartels. The corruption reaches to the highest level. The violence is incredibly high. We need to do what we can to help the Mexican Government bring these cartels under control and try to eradicate them because they do pose an existential threat. We cannot afford to have a government that is full of corruption and controlled by drug cartels on our southern border, not to mention the impact it has on illegal immigration.

What did we do? We took steps in violation of our obligations under the North America Free Trade Agreement that will have precisely the opposite effect and have prompted retaliation that will only serve to harm American workers, consumers, and our Nation's relationship with Mexico.

During these difficult economic times for many American businesses, the ability to sell products on the world market is essential to our economic recovery. The Financial Times wrote in an editorial published yesterday:

The retaliatory duties are a legitimate response to a U.S. violation of a trade deal . . . but this does not bode well for bilateral relations just under two months into the Obama administration.

It goes on:

We hope cooler heads prevail and prevent any deterioration of the bilateral relationship. Both nations have too much at stake—and trade as well as security issues.

I could not agree more.

The Arizona Republic published an editorial that reads:

With the economy in tatters, it's no time to mince words: The United States is in the wrong. Under NAFTA, we agreed to give Mexican trucks access beginning in 1995, increasing efficiency and lowering costs for consumers.

The editorial continues:

Around the world, countries are considering trade barriers that could have disastrous consequences for the world economy.

The United States must put the brakes on trade restrictions, not fuel them.

I am aware there is a sizable block of public opinion that believes we should close our borders to everybody and everything, that somehow Mexican trucks are unacceptable, that legal immigration is something we ought to do away with. I understand all those arguments. But I also urge those who say that trade with Mexico is not important to understand the facts: They are our third largest trading partner; we have a trade surplus; it is important to have our relationship good as we help them battle the drug cartels; and, most importantly, protectionism and high tariffs led to the Great Depression.

Congress passed NAFTA in 1993 and President Clinton signed it into law in 1994, which mandated the opening of our southern border to Mexican trucking operations to allow the free flow of goods and services between the two countries. Last year, language was slipped into a fiscal year 2008 spending bill that sought to strip funding for a pilot program with Mexico that would allow a limited number of Mexican trucks to enter the United States. Now the administration says it will try to create ''a new trucking project that will meet the legitimate concerns'' of Congress. I don't understand how the administration can create a new trucking project to comply with NAFTA, when Congress explicitly barred any money from being spent toward such activities. The President should not seek to create a new project to circumvent the terms of the legislative language. Rather, he should have vetoed it in the first place.

The administration's eliminating the Mexican cross-border trucking program will harm millions of American consumers who could benefit from lower prices on many goods manufactured in Mexico and then distributed in the United States.

According to the U.S. Department of Transportation, refusing entry into our country of Mexican trucks carrying Mexican-made goods adds $400 million to the price of Mexican imports which is, of course, passed on to the American consumer. Mr. Kirk has made some statements broadly supportive of international trade, but he has also made comments suggesting protectionism might not be so bad after all. During his confirmation hearing, Mr. Kirk stated:

Not all Americans are winning from [trade] and our trading partners are not always playing by the rules.

He suggested the administration may abandon the free-trade agreement we have concluded with South Korea, one projected to increase the United States GDP by $10 to $12 billion. He said the pact ''simply isn't fair.'' He emphasized he does not have ''deal fever'' when it comes to trade agreements. Again, it is up in the air as to what the fate of the Colombia Free Trade Agreement would be, sending a clear signal that we would be punishing the Colombian Government for their assistance in trying to combat drug cartels.

Our trading partners, including Canada and Mexico, don't seem interested in strengthening agreements that have served them and us well for years. Rather, they would like to see the United States fulfill its own trade obligations and look for further ways to open markets to the free flow of commerce. The free flow of commerce has been a founding principle of U.S. economic policy for many decades and a key factor in our rise to prosperity and greatness. It is for this reason I hope Mr. Kirk and his colleagues in the administration will reconsider their stance and help build, not damage, the consensus behind free trade. After all, we have seen a terribly destructive pattern unfold before.

In 1930, as the United States and the world were entering what would be known in history as the Great Depression, two men, Mr. Smoot and Mr. Hawley, led the effort to enact protectionist legislation in the face of economic crisis. Their bill, the Smoot-Hawley Tariff Act, raised duties on thousands of imported goods in a futile attempt to keep jobs at home. In the face of this legislation, 1,028 economists issued a statement to President Herbert Hoover, wherein they wrote:

America is now facing the problem of unemployment.

The proponents of higher tariffs would claim that an increase in rates will give work to the idle. This is not true. We cannot increase employment by restricting trade.

Mr. Smoot, Mr. Hawley, and their colleagues paid no attention to this wise admonishment, and the Congress went ahead with protectionist legislation. In doing so, they sparked an international trade war as countries around the world retaliated, raising their own duties and restricting trade, and they helped turn a severe recession into the greatest depression in modern history.

I do not intend to oppose the President's nominee for U.S. Trade Representative. I remain very concerned about the direction of our trade policies at a time of economic peril. I urge my colleagues and the administration to heed the lessons of economics and heed the lessons of history.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the vote on confirmation of the nomination of Ron Kirk occur at 2 p.m. today, with the remaining provisions of the previous order governing the consideration of this nomination in effect; that upon resuming legislative session, the Senate then proceed to vote in relation to the following amendments in the order listed; further, with respect to H.R. 146 and the provisions of the order governing vote sequences remaining in effect: Coburn amendment No. 680, Coburn amendment No. 679, Coburn amendment No. 675.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that I be allowed to speak for up to 8 minutes as in morning business and that the time not count against debate time on the Kirk nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ENDING STEALTH BONUSES

Mr. FEINGOLD. Mr. President, I come to the floor to discuss taxpayer-funded bonuses. These bonuses are paid every year, often without any public discussion or a recorded vote by those with the authority to approve or stop them. The people giving themselves these bonuses have made sure they get them regardless of their performance.

I am referring to the annual bonuses given to Members of Congress.

There is some good news to report on this issue today. Thanks to the leadership of majority leader HARRY REID, we took an important step yesterday. Senator REID moved legislation through the Senate that will end these annual stealth bonuses. I have introduced legislation similar to Senator REID's bill for the past six Congresses, and I am delighted, because of Senator REID's leadership, this proposal has finally passed the Senate.

Congress has the power to raise its own pay. While some corporate executives apparently have this power as well, it is something most of our constituents cannot do. Because this is such a singular power, I think Congress ought to exercise it openly and subject to regular procedures, including debate, amendment, and, of course, a vote on the record.

But current law allows Congress to avoid that public debate and vote. All that is necessary for Congress to get a pay raise is that they do nothing, that nothing be done to stop it. The annual bonus takes effect unless Congress acts.

As I noted in a statement yesterday, that stealth bonus mechanism began with a change Congress enacted in the Ethics Reform Act of 1989. In section 704 of that act, Members of Congress voted to make themselves entitled—entitled—to an annual raise equal to half a percentage point less than the employment cost index, which is one measure of inflation.

On occasion, Congress has actually voted to deny itself a bonus, and the traditional vehicle for the pay raise vote is the Treasury appropriations bill. But that vehicle is not always made available to those who want a public debate and vote on the matter. As I have noted in the past, getting a vote on the annual congressional pay raise is a haphazard affair, at best, and it should not be that way. The burden should not be on those who seek a public debate and a recorded vote on the Member pay raise. On the contrary,

Congress should have to act if it decides to award itself a hike in pay. This process of congressional bonuses without accountability must end.

I joined with the junior Senator from Louisiana in offering an amendment to the Omnibus appropriations bill recently. That amendment received strong support—support which was all the more remarkable because many of the amendment's potential supporters felt constrained to oppose it in order to keep the underlying legislation free of amendments. Now, thanks to our majority leader, we have a real chance to end this system in fact.

This issue is not a new question. It was something our Founders considered from the beginning of our Nation. In August of 1789, as part of the package of 12 amendments advocated by James Madison that included what has become our Bill of Rights, the House of Representatives passed an amendment to the Constitution providing that Congress could not raise its pay without an intervening election. On September 9, 1789, the Senate passed that amendment. In late September of 1789, Congress submitted the amendments to the States.

Although the amendment on pay raises languished for two centuries, in the 1980s, a campaign began to ratify it. While I was a member of the Wisconsin State Senate, I was pleased to help add Wisconsin to the States ratifying the amendment. Then its approval by the Michigan legislature on May 7, 1992, gave it the needed approval by three-fourths of the States.

So the 27th amendment to the Constitution now states:

> No law, varying the compensation for the services of the senators and representatives, shall take effect, until an election of representatives shall have intervened.

I honor that limitation. Throughout my 6-year term, I accept only the rate of pay Senators receive on the date on which I was sworn in as a Senator. I return to the Treasury any cost-of-living adjustments or bonuses during my term. I do not take a raise until my bosses, the people of Wisconsin, give me one at the ballot box. That is the spirit of the 27th amendment, and, at the very least, the stealth pay raises permitted under the current system certainly violate that spirit.

This practice must end. I am so delighted to express my thanks to Majority Leader REID. Because of him, we have a real chance of ending it.

Today I am sending a letter to Speaker PELOSI asking that the other body take up and pass the Reid legislation to end the automatic congressional bonuses. Doing so would assure the American people that we are not only serious about going after the abusive bonuses paid to the executives of firms bailed out with taxpayer dollars, but we are also serious about ending a system that was devised to provide Members of Congress with bonuses without any accountability.

Mr. President, I yield back whatever time I have remaining.

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

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

Mr. BAUCUS. Mr. President, I might ask, what is the pending business?

The PRESIDING OFFICER. The Kirk nomination is before the Senate.

Mr. BAUCUS. I thank the Chair.

I would like to speak on the Kirk nomination.

Mr. President, Ralph Waldo Emerson said:

> [T]he most advanced nations are always those who navigate the most.

Today, the Senate considers the nomination of Mayor Ron Kirk to be U.S. Trade Representative. As we consider the nomination, America is navigating a shifting economic landscape. And so are our trading partners.

As financial systems weaken, protectionist sentiments strengthen. As markets crumble, import barriers rise. And as jobs disappear, trade violations emerge.

Ron Kirk has been asked to navigate U.S. trade policy through these difficult waters. To ensure that America keeps moving forward, he must navigate the right course.

Many feel our trade policy has veered off course. They argue the Government has not safeguarded our workers. They argue the Government has not enforced our trade agreements. They argue the Government has not dismantled barriers to our exports.

I believe Mayor Kirk will chart the right course. He understands he must steady the tilting ship of public opinion. He will do so by rebuilding America's faith in the benefits of international trade. He will remain constantly on the lookout for America's workers. He will shine a spotlight on trade violations. He will vigilantly enforce our international agreements. He will speed our economic recovery by opening markets for American exports.

Let us chart the right course on international trade. Let us rebuild America's faith in our trade policy. Let us confirm Ron Kirk to be the U.S. Trade Representative.

Mr. President, I yield the floor.

Mr. GRASSLEY. Mr. President, the nomination before the Senate is critically important in this time of economic upheaval.

We need a U.S. Trade Representative to assert our rights, defend our interests, and negotiate new market opportunities for our exporters.

Trade can and should play an important role in our economic recovery. President Obama recently acknowledged this in his trade policy agenda.

If Mayor Kirk is confirmed today, I look forward to working with him to advance a progrowth trade agenda for the benefit of U.S. consumers and producers.

We have a lot of work to do, some of which is left over from the last Congress. By that I am referring to our three pending trade agreements with Colombia, Panama, and South Korea.

We also need to find a way to reinvigorate the Doha Development Round negotiations in the World Trade Organization.

I appreciate Mayor Kirk's engagement and enthusiasm to assume the responsibilities of the U.S. Trade Representative.

Based on his responses to my questions during the vetting process in the Finance Committee, there appear to be some policy areas in which our views converge.

There are some other areas in which I continue to have concerns, particularly where his responses provided insufficient detail to determine whether we can have a convergence of views.

But that said, if Mayor Kirk is confirmed, I believe that we will able to work together on a positive trade agenda.

During the committee vetting process, several issues arose with respect to the nominee's tax returns.

I am grateful for Mayor Kirk's cooperation with me, Chairman BAUCUS, and the Finance Committee staff.

In the true spirit of transparency and cooperation, he responded to all questions about his taxes directly and honestly.

He also agreed in communications with the staff to release information about his tax issues, and that information was put into the record of the committee proceedings.

I believe that all nominees should be held to the same standard when it comes to compliance with the tax laws.

Mayor Kirk was required to amend his returns and pay additional tax as a result of the vetting process.

Each of the issues for which he amended his returns was considered by him and his preparer at the time the returns were prepared. However, upon further review of some of the calculations, he agreed that some of them needed to be changed. Those issues are now resolved.

In closing, Mayor Kirk is a strong nominee for the position of U.S. Trade Representative.

He brings enthusiasm and energy to the table, as well as first-hand experience and understanding of the benefits of liberalized trade.

I urge my colleagues to support his nomination.

Mrs. HUTCHISON. Mr. President, I rise today to speak about Ron Kirk, the nominee for whom we will vote in the next few minutes for U.S. Trade Representative. I wish to speak in strong support of Ron Kirk to serve as U.S. Trade Representative. I would have been here sooner, but as ranking member of the Committee on Commerce, I was holding a hearing with the chairman, JAY ROCKEFELLER, on Governor Locke to be Secretary of Commerce, and that was my responsibility that I certainly had to meet.

I will say that Governor Locke did a very good job before our Commerce Committee. We just, within the last hour, concluded that hearing. But I wanted to make sure that I am able to speak about Ron Kirk because, certainly, I know him. I have known him for many years. We both live in Dallas, and he and I enjoy a great relationship. I was in the Senate when Ron Kirk was the mayor of Dallas, and he did a wonderful job as mayor of our city. I worked with him as a Senator. I know he can get things done. He is very bright, very affable, really funny. He is the kind of person you want to sit next to in a very dull speech because he can make you laugh no matter how bad the summit or the speech or whatever the business of the day. He is a very rare, wonderful person.

During his time in office, Mayor Kirk expanded Dallas's reach to the world through a range of trade missions, trying to show that Dallas was open for business, and he traveled on trade missions to assure that would happen. While he was mayor he sponsored a competition every year for small businesses to highlight those competing in foreign markets and invited the winner to go on his trade mission trips. I think it is important as a former small business owner myself that we show how you can export to foreign countries, no matter how small your business is, if you just know how to pursue it. Mayor Kirk tried to ensure that small businesses in Dallas, as well as our big businesses, were able to have a place at the table when he was on trade missions, showing what could be done with trade.

Before becoming mayor of Dallas, Ron Kirk was secretary of state of Texas. He was an appointee of Gov. Ann Richards. He attended Austin College, graduating with a degree in political science and sociology in 1976 and then went to the University of Texas Law School, which is also my alma mater. Upon receiving his J.D. in 1979, he practiced law until 1981 when he went to work in the office of then Texas Senator Lloyd Bentsen who was my immediate predecessor in this Senate seat.

On a personal note, Ron is married to Matrice Ellis Kirk. She, in her own right, is a professional woman, a leader in Dallas, another very bright, affable person who has made her own impression in Dallas as well. They have two daughters, Elizabeth Alexandria and Catherine Victoria.

I know that Mayor Kirk's leadership and experience will make him a strong ambassador for U.S. trade policy. Last week in his testimony before the Senate Finance Committee, Mayor Kirk pledged that as U.S. Trade Representative, ''I will work to increase opportunities for American entrepreneurs in the global marketplace.''

These economic opportunities are critical to America's prosperity. In 2007, exports accounted for 40 percent of our economic growth.

The next U.S. Trade Representative will face a series of challenges, including revitalizing the stalled WTO talks and managing the Doha Round, which is preoccupied with topics such as export subsidies, tariffs, copyright issues, and keeping markets open to U.S. goods. Equally important, the next U.S. Trade Representative will face the worst economic downturn in decades in America and in the world.

As we face economic hardships, trade presents a tremendous opportunity to sustain and create jobs, expand economies, and stimulate growth. We must resist the temptation to close our borders and engage in protectionism, which always ends up harming our economy.

History is not kind to those who raise trade barriers during a recession. In 1930, President Hoover made the mistake of signing the Smoot-Hawley tariff, which dramatically increased the cost of imports and turned a serious recession into the Great Depression. We can't allow that to happen again. My heavens, if we know anything, it is that we should learn from history. The past is prologue.

I believe trade policy can play a leading role in getting the U.S. economy and the global economy back on track.

Currently, the United States has free-trade agreements in effect with 14 countries: Canada, Mexico, Israel, Jordan, Chile, Singapore, Australia, Morocco, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, and Bahrain. However, we still have free-trade agreements with Colombia, Panama, and South Korea that await congressional approval.

The next U.S. Trade Representative must work with Congress to implement those trade agreements and ensure that American exports enter the global market on a level playing field. I am pleased that in his testimony before the Senate Finance Committee, Mayor Kirk committed to work with Congress to develop ''benchmarks'' that will allow these accords to move forward.

The Colombian Free Trade Agreement in particular will be tremendously beneficial to the United States, both economically and diplomatically. This accord would remove tariffs on the $8.6 billion of U.S. agricultural exports to Colombia every year.

While America's economic growth is a primary objective of free-trade agreements, they also serve the broader purpose of bolstering our foreign policy.

At a time when Venezuelan dictator Hugo Chavez is trying to undermine U.S. security interests in Latin America, we must seek trade partnerships with allies such as Colombia.

As the Washington Post said in an editorial: ''A vote for the Colombia deal would show Latin America that a staunch U.S. ally will be rewarded for improving its human rights record and resisting the anti-American populism of Venezuela's Hugo Chavez.''

By helping Colombia and other countries thrive under the free market, we will help them become less vulnerable to Chavez's petrodollars.

I am hopeful that Mayor Kirk will take the necessary steps to ensure that the Colombian Free Trade Agreement is approved.

Let me say that I think probably the first issue the U.S. Trade Representative will have to focus on and solve is with Mexico. This week Mexico threw up tariffs on 90 products that are imported to Mexico from the United States. Most of these are agricultural products. It will hurt our agriculture businesses if we have a trade war with Mexico; if we have tariffs that increase the price of American goods into Mexico. We all know this must be solved.

I will say that the person who understands this best is Ron Kirk. Ron Kirk, obviously, lives in Texas. He knows how important free trade is with Mexico. Mexico is Texas's largest trading partner. We export to Mexico, and he has been there. So he understands that this is a high priority for all of our States exporting into Mexico and that we must solve the trucking issue so that Mexico understands that there will be parity across the border and that Mexican trucks, like American trucks, will have the same safety standards and that they will have an ability to be inspected. He can solve this if we will confirm him today and let him start on this very important problem.

Throughout his career, Mayor Kirk has shown the character and leadership skills to bring people together on behalf of a good cause. For that reason, I am very confident he will make a great U.S. Trade Representative. He will seek exports of American goods all over the world. He will seek free and fair trade. That is very important—we don't want other countries to throw up barriers to our entry into their country—and he will do the right thing. I know he is a good negotiator. I know he will be a good representative of the United States in this very important position.

I urge my colleagues to support his nomination. I am pleased we are voting on him soon so that he can hit the ground running on the Doha Round and the many issues that are facing our country in this time of economic stress—when the last thing we should be doing is throwing up barriers to trade and exports from our country into other countries, where good trade makes good neighbors and partners.

Mr. FEINGOLD. Mr. President, I support the nomination of Ron Kirk to be our trade representative, despite my concerns with his position on trade policy. The tax matters that came to light during Mr. Kirk's vetting are not disqualifying, and because I am inclined to defer to any President on the choice of his closest advisers, I decided to support this nomination.

Having said that, I very much hope the President and his new trade representative will carefully review our current trade policies, and the impact

they have had on the lives of millions of Americans. The trade policies handed over to this administration are as fundamentally flawed and damaging to our economy as the fiscal disaster and financial market crisis they inherited.

The trade policies of the last two decades, under both Republican and Democratic administrations, and supported by both Republican and Democratic controlled Congresses, have undermined environmental protections, food safety and public health protections, subverted our democratic institutions, and helped ship millions of family-supporting decent paying jobs overseas. They have greatly disadvantaged thousands of small businesses in my home State of Wisconsin, exposed consumers to health risks, and decimated communities. They have accelerated the very worst aspects of globalization, and have not done nearly enough to advance its potential benefits.

Mr. President, I wish Mr. Kirk all the best in his new position, and hope he and the President will take a fresh look at our trade policy. As I noted earlier, the mess they have inherited is as big a problem as any presented to the new administration, and it deserves our full attention.

Mr. CORNYN. Mr. President, I rise today to congratulate Mayor Ron Kirk on his nomination to serve as President Obama's U.S. trade representative. I am proud to support the confirmation of my fellow Texan.

Following World War II, the United States recognized a need to engage foreign nations and harmonize global economic trade. President Kennedy recognized the value in placing a single chief U.S. trade negotiator in charge of these responsibilities. Later, President Ford elevated this important position to Cabinet rank. Since then, Congress has worked with many administrations to strengthen the ability of the U.S. trade representative to enforce existing trade agreements and open new markets for American workers, farmers, and consumers.

Mayor Kirk would lead the office of U.S. trade representative during the most challenging global financial crisis in history. The World Bank predicts that the global economy will shrink this year for the first time in more than six decades. People in many nations are suffering, and calls for new trade barriers grow louder. However, the U.S. trade representative must speak clearly and calmly against protectionism. He must show how open markets can renew global prosperity and lift millions in the developing world out of poverty.

I believe President Obama chose the right man for this job. As mayor of Dallas, Ron Kirk saw how open markets create new opportunities for our people. His trade missions to other nations encouraged new export growth. He engaged and recruited foreign investors thereby attracting new jobs into the city. And he recognized that the North American Free Trade Agreement would bring additional export-related jobs to the region. While many roundly criticized that accord, Mayor Kirk put it to work for the residents of Dallas. His leadership in the late 1990s helped reenergize the local economy. By 2007, the Dallas-Fort Worth area was exporting more than $22 billion of goods and services to foreign markets.

Mayor Kirk's confirmation will fill an important void in President Obama's Cabinet. Mayor Kirk has demonstrated that he will warn against protectionism. This voice is needed in the Cabinet.

Congress recently voted to suspend the cross-border transportation pilot program occurring at the southern border of my State of Texas. This shortsighted cancellation was met immediately with news that the government of Mexico will retaliate by levying new tariffs on U.S. made products.

This unfortunate situation was avoidable had my colleagues heeded warnings of the retaliation that this policy change would incur upon our economy. These tariffs amount to a $2.4 billion tax increase on American made products, and one economist estimates a loss of approximately 40,000 jobs.

At a time when Congress should be working to expand markets for our goods and create jobs in the United States, Congress is instead provoking the ire of the customers who buy American products and services. Our workers and our consumers deserve a trade ambassador that will ensure economic policy is rooted in the best interest of the economy rather than political payback.

The President has three economic remedies available immediately. The pending trade agreements with Colombia, Panama, and Korea will create jobs in the United States. Consumers in these countries have a voracious appetite for American goods and services. My State of Texas is the top exporter to both Colombia and Panama and the second leading exporter to Korea. These destinations represented a $9.5 billion market for Texas-made goods and services in 2008.

The hard work is over; these agreements have been negotiated and signed. I urge the administration to work with Congress and pass these beneficial accords.

Mayor Kirk is not the first choice of those who fail to recognize the benefits of free trade, but he's the first choice of the President—and a good choice for American exporters and consumers. The continuing global financial crisis demands a strong leader at USTR—and Mayor Kirk will fill this role well.

Mr. LEVIN. Mr. President, I will vote today to confirm Ronald Kirk to be U.S. Trade Representative. Although I have had serious concerns about our trade policies in the past, I am hopeful this administration will deal differently with trade.

I am reassured by some of the things that Mr. Kirk said at his confirmation hearing. For instance, Mr. Kirk said he will put an emphasis on workers and the environment, something that his predecessors failed to do. He also has acknowledged that the pending U.S.-South Korea trade deal negotiated by the Bush administration ''. . . just simply isn't fair.'' This acknowledgement is important because the U.S.-South Korea trade agreement as currently written is harmful to the U.S. auto industry and its workers and should not be pursued in its present form.

When it comes to automotive trade between the United States and Korea, the numbers speak for themselves. While Americans buy more than 770,000 Korean vehicles each year, fewer than 6,300 American autos are sold in Korea. Despite two bilateral memoranda of understanding in 1995 and 1998, Korea continues to use ever-changing standards to restrict auto imports. There is nothing in the pending agreement that guarantees Korea will open its market to U.S. automobiles even though it commits the U.S. to further opening its already open market to Korean vehicles. We should open our auto market further only after U.S. autos have gained measurable access to the Korean market but that is not how the agreement is currently written.

At his confirmation hearing Mr. Kirk agreed the U.S.-South Korea free trade agreement wasn't fair and said, ''if we don't get that right we'll be prepared to step away from that.'' He also said, ''I do not come to this job with 'deal fever.' We will not do trade deals just for the sake of doing deals.''

I am pleased to hear these remarks because frankly some of the trade agreements the U.S. has entered into have not been in the best interests of the United States. The North American Free Trade Agreement, NAFTA, is a good example. NAFTA contained a number of unfair provisions that are discriminatory to Michigan workers and companies. For example, it restricted U.S.-made auto parts from entering Mexico for a decade and American used car exports for 25 years. Furthermore, the U.S. maintained small but stable trade deficits with Canada and Mexico in the 1980s and early 1990s. After NAFTA took effect in 1994, the U.S. developed large and rapidly growing deficits with Canada and Mexico. Since jobs are created by exports but displaced by imports, job losses occurred. The Economic Policy Institute found that total U.S. job displacement from NAFTA over 12 years was 1 million jobs.

Our trade policy should focus on opening markets in nations such as China, Japan, the European Union, and South Korea, where the most egregious trade barriers block the sale of U.S. goods and services and where we have the potential to export a larger quantity of goods and services. Mr. Kirk has promised to pry open foreign markets and enforce existing trade rules. I support his confirmation in the hope that he will.

I have not been satisfied with America's trade policy over the past 30 years. I believe in free trade, but I believe that with free trade we must have fair trade. The U.S. market is the most open in the world, but our policy has failed to insist that foreign markets be equally open to American products. We sorely need a new and just approach to trade.

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

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally against both sides.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. I ask unanimous consent that the quorum call be rescinded.

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

Mrs. FEINSTEIN. Thank you, Mr. President. I understand that we are on the Kirk nomination; however, I ask unanimous consent to speak on the lands bill.

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

COBURN AMENDMENTS

Mrs. FEINSTEIN. Mr. President, the Senate will have before it a series of amendments to the lands bill made by Senator COBURN. I rise to oppose specifically two of these amendments, amendment No. 683 and amendment No. 675, and I do so on behalf of myself and my friend and colleague from California, Senator BOXER.

These amendments would essentially throw out a legal settlement agreement concerning the restoration of the San Joaquin River. The settlement agreement ends 18 years of costly litigation. It is the product of 4 years of negotiation by the Bush administration, the State of California, dozens of water agencies, the Friant water users—it affects Friant, and Friant is a Division of the Central Valley Project and 15,000 farmers draw their water from this Division; it is big, it is important, it is critical—and by environmental and fishing groups.

This was a suit brought by the Natural Resources Defense Council against the Federal Government saying that what was happening at Friant Dam was not sufficient in the release of water to protect the salmon.

I wish to have printed in the RECORD at the end of my remarks a letter by the Governor of the State of California, Arnold Schwarzenegger, supporting the settlement agreement, and a letter from the U.S. Department of Justice supporting the settlement agreement. I also commend to my colleagues a Congressional Research Service Memorandum entitled ''Institutional and Economic Context of the San Joaquin River Restoration Settlement,'' spelling out the institutional and economic context of this settlement agreement.

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

(See exhibit 1.)

Mrs. FEINSTEIN. Thank you very much.

So we have broad and strong support for the settlement agreement. Now, the question is, Why do we have it? The reason we have it is because it is my understanding that the Government has lost the case, and the result is that with or without the settlement, a Federal court will require restoration of the San Joaquin River. According to all of the parties, the court could—and we believe would—order a huge release of water from Friant Dam, negatively impacting the 15,000 farms in the Friant Division of the Central Valley Project.

In contrast, the settlement agreement allows orderly restoration of the river, with minimized impacts to irrigated agricultural and municipal water users. It provides negotiated flood control and other protections for private landowners. It represents a sensible and hard-fought consensus solution. I know, because these parties came to me and asked me if I would sit down with all of the parties and try to put together this settlement agreement, and we did, in fact, do this. It is virtually supported by all of these elements.

Also, the settlement would be far less costly to the taxpayers than returning to court and having the end result of having a Federal judge manage the river. That is what the alternative is. Here is why: The settlement provides almost $400 million in non-Federal funds, so what would have had to have been funded by the Federal taxpayers will be lowered. Effectively, the costs are lowered to Federal taxpayers. The affected water districts have agreed to help fund the settlement with approximately $200 million. The State of California will provide another $200 million. If the Coburn amendment is successful and this is dropped from the bill, the Federal Government will have to pay an additional $400 million and face the fact that the judge could well order a huge release of water, not staggered to any particular time, in no orderly manner, which could have tremendous adverse impacts on the farming community.

The settlement also minimizes economic costs to the region by providing water supply certainty for users, but without the settlement water users in Friant could face more severe water losses and potentially millions of dollars of lost income and lost jobs. As I say, this is 15,000 separate farming entities, so that is unacceptable.

Critics have argued that this provision is wasteful spending and that it would cost millions of dollars for every fish restored. But the facts prove them wrong. To get the number the critics use, they assume that only 500 fish will ever be restored; that is, salmon, instead of the 30,000 salmon that will eventually return to the river each year as a self-sustaining fishery. They ignore all the other benefits of the settlement.

According to the Congressional Research Service analysis I have referenced, it is ''misleading'' to disregard the ''full array of likely project costs and benefits,'' including ''the values that Californians and U.S. citizens place on improvements in environmental quality and restored runs of salmon.''

The bottom line: The settlement offers the best possible solution to a longstanding water fight in my State. I do not believe there is anything wasteful about it. Remember, this suit has gone on for 18 years. I have talked with every one of the parties. They have all come together asking for a settlement agreement, including the Federal Government, the State of California, and actually the environmental group that sued, the NRDC, because they believe that if left to the judge, the action might be very adverse in terms of large amounts of water, rather than being staggered and done in a more sensible way, would be detrimental to the Friant farmers as well as, quite possibly, to the fish.

The other problematic amendment offered by Senator COBURN is amendment No. 675 which would remove the Government's eminent domain authority for the public lands omnibus bill, including the San Joaquin River settlement title of the lands bill.

Now, to be candid, none of us like the use of eminent domain. In the 9 years I was mayor, I refused to use eminent domain in San Francisco and, in fact, never did. But Senator COBURN's amendment ignores the basic reality that the use of eminent domain is sometimes necessary to carry out western water projects that are vital for an entire region because the water comes from one place, the State is vast, and it has to be moved to other places, and the public benefit of moving that water is enormous in the seventh largest economy on Earth.

These water projects need to have the use of eminent domain as a last resort for building water projects and flood channels on a willing seller-willing buyer basis. Otherwise, the Government clearly is not going to be able to build water conduits, water projects, and flood control elements where they are most needed. That may be different in small States, but in huge States such as California, where the water comes primarily either from the very north of the State, the Sierra Nevada mountain range, or the Colorado River—where we are being weaned off of the Colorado River, and have an

agreement to dramatically cut our take of water from the Colorado River—we have to have the conveyances to move the water around the State.

Private landowners also receive the benefit of upgraded flood protections and bypasses around key diversion points, so that fish are not diverted along with irrigation supplies. This is a very sensitive, very problematic area. It has taken a lot of work to know how to do this. The Federal Government could not build these flood and bypass measures to benefit third party landowners without the ability to acquire land through eminent domain. That is just a fact.

There is a great need for water projects in my State. If we don't move, I believe California will end up a desert State. We are faced with high wildfire potential, with warming climates, and reduced water. We are in the third year of a drought.

Mr. President, you might be interested in knowing that for the big Central Valley of California, which makes California the No. 1 agricultural producer in America, most of that valley's water allocation from the Central Valley Project for this year is zero, which means fallowing, which means cutting out trees and crops. So we are in a very sensitive situation.

I urge the Senate to vote no on these Coburn amendments. I think it is very easy to come in and second-guess a situation and not know anything about 18 years of litigation and the fact that the Government is going to lose the case and having to try to work out a settlement, which gets the best for all of the parties concerned. I believe we have done it, and it has taken hours and hours of negotiation.

This has been approved by this body once. To remove the bill and the eminent domain authority from the lands bill would be tragic. Again, the Federal Government would have to pick up the costs the State of California is willing to pay under this settlement—$200 million—and the cost these water contractors are willing to provide—$200 million—and do the whole job itself, which is going to cost an additional $400 million.

These amendments are in no way, shape, or form, cost effective, and they will hamstring California's effort to solve what is an egregious problem, and that is an increasingly drying State, which is in drought almost on a perpetual basis and is trying to solve its problems.

On behalf of Senator BOXER and I, I urge a ''no'' vote on both of these amendments.

Mr. President, I ask unanimous consent that my time not count against the time allocated for the Kirk nomination.

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

Mrs. FEINSTEIN. I thank the Chair.

EXHIBIT 1

STATE CAPITOL,
Sacramento, CA, May 5, 2008.

Hon. DIANNE FEINSTEIN,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR FEINSTEIN: As Congress again considers legislation needed to implement the Settlement Agreement reached to restore the San Joaquin River, I write to reiterate my support of your leadership in this matter and to urge Congress to act now to take advantage of this historic opportunity. Restoring the San Joaquin River will provide vital benefits to the environment, to the people of the San Joaquin Valley, and to all Californians. I remain confident that this settlement can be implemented to provide these important benefits while minimizing impacts to the Friant water users and preserving the regional economy.

The state of California has already committed substantial funding to support the settlement effort. In November 2006, California voters approved Proposition 84, the Water Quality, Safety and Supply, Flood Control, Natural Resource Protection Bond, which earmarks $100 million to support San Joaquin River restoration. Other bond funds are available to provide flood management improvements and to support regional water supply reliability projects. Moreover, I have directed my Administration to pursue all available opportunities to contribute to the dual restoration and water management goals of the Settlement Agreement.

Thank you again for your leadership to secure the passage of the necessary legislation to advance the restoration of the San Joaquin River. Please know that my Administration remains committed to this important effort and we look forward to continuing our work with the federal government on this significant restoration program.

Sincerely,
ARNOLD SCHWARZENEGGER,
Governor.

DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, November 7, 2007.

Hon. NICK J. RAHALL II,
Chairman, Committee on Natural Resources, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Department of Justice (DOJ) strongly supports H.R. 4074, the San Joaquin River Restoration Settlement Act (originally introduced by Congressman Radanovich as H.R. 24). This bill provides necessary authorization and funding to carry out the terms of the San Joaquin River Settlement. The purpose of the settlement is to fully restore the San Joaquin River and to mitigate the impact of water losses on water districts in the Friant Division of the Central Valley Project who have long-term contractual rights and obligations with the Bureau of Reclamation. This settlement not only resolves litigation over the operation of the Bureau of Reclamation's Friant Dam east of Fresno, California, it provides a framework for the restoration of the San Joaquin River and its fishery in a way that protects the sustainability of farming in the Friant Division.

On October 23, 2006, the United States District Court for the Eastern District of California approved this settlement, ending eighteen years of litigation, Natural Resources Defense Council, et al. v. Kirk Rodgers, et al. The Administration previously announced its support for legislation implementing this settlement in testimony before your Committee on March 1, 2007, by Jason Peltier, Principal Deputy Assistant Secretary for Water and Science for the U.S. Department of the Interior. The State of California has pledged its support for the Settlement in the amount of $200 million.

Enactment of H.R. 4074 is essential to the implementation of this historic, court-approved settlement. Without this legislation, the Secretary of the Interior lacks sufficient authority to implement the actions in the settlement, Implementation of the San Joaquin River Settlement will avoid the high cost and uncertainty that will result from a return to litigation if the settlement is not implemented.

Thank you for the consideration of our views. Please do not hesitate to contact this office if we can be of further assistance in this matter. The Office of Management and Budget has advised that there is no objection to the submission of this letter from the standpoint of the Administration's program.

Sincerely,
BRIAN A. BENCZKOWSKI,
Principal Deputy Assistant, Attorney General.

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time during the quorum call be charged equally.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BARRASSO. I ask unanimous consent to speak as in morning business.

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

THE BUDGET

Mr. BARRASSO. Mr. President, today I wish to talk about this administration's proposed budget. I believe the President's proposed budget fails the American people. It fails small businesses, and it fails our economic future.

To me, this budget spends too much on bailouts and on wasteful Government programs. It raises the cost of energy, and it costs American jobs.

The spending in this budget is so massive that independent estimates say they are going to need another quarter million people—250,000 more Federal Washington bureaucratic workers—just to spend all the money.

Middle-class families and small businesses all across this country are taking notice. These are the people who are making the financial sacrifices every day to pay for these huge Government expenses. Yet Washington continues to spend trillions in taxpayers' dollars on bailouts and big Government programs.

This budget spends too much, it taxes too much, and it borrows too much.

This budget contains the largest tax increase in the history of our country. We need to help American industry promote growth and create jobs. I will tell you that raising taxes makes matters worse, especially in an economic downturn.

The President's plan takes money from small businesses and families in my home State of Wyoming. The President's budget will devastate the small businesses of America. The budget even limits itemized deductions for people who give money to charities. This effectively raises our Nation's top tax rate to 42 percent.

Our Treasury Secretary Geithner says the proposed changes in the tax rates would apply to only 2 or 3 percent of small business owners. But the reality is, those tax increases are going to hit hardest those small businesses which create the most jobs in our Nation.

Small businesses created a majority of new jobs in America over the last 10 years. Small businesses are responsible for 70 percent of the job creation in this Nation.

These jobs are being created by businesses similar to those that are now threatened by the administration's proposed tax increases. When we consider that the administration talks about a goal of job creation, why is this administration proposing a budget with costly tax hikes on those very engines that create the jobs in this Nation?

They say: We are going to delay the tax increases until 2010. That doesn't make those tax increases hurt any less. Small business owners plan ahead. They plan well in advance. They will not hire someone today if they know they are going to be forced to lay that person off in less than 2 years.

I want to talk a little bit about electric bills.

Electric bills and the cost of everything manufactured in America is going to skyrocket under this proposed budget. Under the Obama budget, gasoline prices are likely to go up as much as 145 percent.

The President from Duke Energy says the plan could increase energy prices for American households by as much as 40 percent.

People need to know under this plan, anything that emits carbon is going to be more expensive. This means the plastics we use, the cars we drive, the homes we heat—they are all going to be more expensive. Every time you flip the light switch, you are going to be paying much more.

The very building blocks of our Nation will be dramatically taxed. American families will experience a dramatic shift down the economic ladder.

Folks who are struggling to get by in my home State of Wyoming and all across America will fall through the cracks in this budget. It is wrong. It is time this administration leveled with the American people about the hidden details in this budget plan.

The President is proposing we spend scarce resources transferring income rather than promoting growth.

According to the President's climate proposal, taxes on carbon are projected to total over $78 billion in 2012 and at least $646 billion over the next 10 years. Of that money, he proposes to spend $1 out of every $5—only $1 of every $5—on clean energy technologies. The other $4 of every $5 are going to go to bigger Government programs.

According to the President's budget document, his climate change proposal is more expensive than the $646 billion he has suggested. He is hiding the true cost to the economy of his cap-and-trade scheme.

The President is also abandoning what I call 24-hour power. Under his cap-and-trade scheme, that is power that runs the factories and American homes 24 hours a day, 7 days a week. It is the power we need when renewable energy is not there—when the Sun is not shining or the wind is not blowing. We need all the energy. We need the coal. We need the nuclear. We need the natural gas. We need the hydropower. All are proven and affordable energy solutions. Those are the kinds of things that will help keep electric bills low.

If you eliminate these, you are automatically taxing all Americans with high energy bills—that is what you are doing—and that means making the cost of running a business more expensive. That means heating homes all across America will be much more expensive.

They have done some estimates, and they have estimated that the President's new energy tax will cost every household in America an additional $250—not each year but $250 each month.

Frankly, that is a tax increase that most American people cannot afford, and, frankly, I don't understand why the President is asking them to pay it.

In reality, the President's cap-and-trade scheme is another bailout, a trillion-dollar climate bailout.

This budget spends too much, it taxes too much, and it borrows too much.

This budget costs too much in dollars, and it costs too much in jobs. This budget hurts small businesses, and it hurts American families alike.

This budget provides for the largest tax increase in history to fund a trillion-dollar climate bailout. It is unfortunate that we are aiming and targeting small businesses because they are the very foundation of job creation in this country. It is unfortunate that this is the starting point of the debate of how to get our economy moving again.

The American people expect better. The American people demand better. The American people deserve better.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, how much time remains on the Democratic side on the nomination for USTR?

The PRESIDING OFFICER. There remains 16 minutes.

Mr. DORGAN. Mr. President, I intend to speak for 10 of the 16 minutes. I will reserve the 6 minutes for others.

Mr. President, we are dealing with the nomination of Mr. Kirk to be trade ambassador, the head of the trade office in our Government. I intend to support his nomination, but I wanted to come to the floor to take the opportunity to say that ambassador after ambassador after ambassador has left that trade office with large and growing trade deficits that I think weaken and undermine our country. And I want to make certain Mr. Kirk and others know what I think is the urgency to address these significant trade deficits.

We are a country that is consuming 3 percent more than we produce. No country can do that for a very long period of time. We are buying more from abroad than we are selling abroad—$2 billion every single day. We import $2 billion every day more than we export.

We are facing a very severe financial crisis in this country now. At least one of the causes of that crisis, which is never discussed by anybody, is an unbelievable trade deficit.

Our merchandise trade deficit last year was $800 billion. You can take a look at what has happened in recent years. These red lines represent the deep hole of trade deficits. That is money we owe to other countries because we are buying more from them than we are selling to them.

Now, I am for trade, and plenty of it, but I insist it be fair, and I also believe there are mutual responsibilities of trading partners. The trade deficit, for example—in the $800 billion merchandise trade deficit we have—with China is $256 billion. Think of that: $256 billion in a year. And we have very serious trade problems with China with respect to the issue of counterfeiting and piracy.

Part of what we are producing in this country these days is intellectual property—computer programming and software, various types of music and movies, and all kinds of inventions. Our intellectual property is being pirated and counterfeited on street corners all across China. And it is not as if China doesn't know how to deal with that. When China held the Olympics, they knew how to deal with their logo. There was an Olympic logo for the Chinese Olympics which belonged to the Government of China. All of a sudden, that had value, and they decided to protect that. People started showing up on street corners in China selling mugs and banners with the Chinese Olympic logo, and they shut them down just like that. They stopped it just like that because that belonged to the Government of China. Well, what about all the intellectual property that is pirated and counterfeited and reverse-engineered in China that is sold on their street corners in violation of everything, which helps result in this $256 billion trade deficit with China?

That is something our U.S. trade ambassador has to confront.

Let me give an example—and this is just one; I could give a dozen—of part of our problem. We have a trade deficit with South Korea. Ninety-eight percent of the cars on the streets of South Korea are made in South Korea because that is what they want. They do not want foreign cars in South Korea. Our country signed two separate trade deals with Korea in the 1990s, which supposedly meant that Korea would open up their auto market. Those agreements are apparently not worth the paper they were written on. So Korea sent us 770,000 vehicles last year—770,000 Korean-made vehicles. Those are Korean jobs—vehicles made in Korea, sold in the United States. Yet we are able to sell 6,000 American vehicles in Korea. Now, think of that: 770,000 cars coming our way, and we get to sell 6,000 there. Why? Because the Korean Government doesn't want American cars on their roads. They want one-way trade, which I think results in unfairness to our country, lack of jobs in our country, and a growing trade deficit in our country that undermines our economy.

The same is true with respect to China. For example, we negotiated a bilateral trade agreement with China. Only much later did we learn the ingredients of that agreement. China is now creating a significant automobile export industry, and we will begin seeing Chinese cars on American streets in the not too distant future. They are gearing up for a very robust automobile export industry. Here is what our country agreed with in a bilateral agreement with China. We agreed that any American cars sold in China after a phase-in could have a 25-percent tariff imposed by the Chinese. Any Chinese cars sold in America would have a 2½-percent tariff. Think of the absurdity of that. A country with which we have a $200 billion trade deficit—last year, $260 billion—and we said: It is okay for you to impose a tariff that is 10 times higher on U.S.-made automobiles sold in your country than we will impose on your automobiles sold in our country. That is the kind of ignorance, in my judgment, and unfair trade provisions that result in our having an $800 billion merchandise trade deficit.

Now, Warren Buffett has said—and Warren Buffett is a bright guy, and I like him, I have known him for a long while—this is unsustainable. You can't run these kinds of trade deficits year after year. It is unsustainable. Why? Because when we buy $800 billion more from other countries than we sell to them, it means they end up with our money or a debt, and that debt will be repaid with a lower standard of living in our country.

My point is that the financial crisis in this country is caused by a lot of things, at least one of which is an unbelievable growing trade deficit that has gone on and festered for a long while, and no administration has done much about it. Oh, the last administration, I think the last time they took action was against Europe, and they announced with big fanfare that they were going to impose tariffs on Roquefort cheese, truffles, and goose liver. That will scare the devil out of some country—Roquefort cheese, truffles, and goose liver. We not only negotiate bad trade agreements, but then we fail to enforce them. And when we do enforce them, we don't enforce them with any vigor.

Mr. President, I know there has been discussion in the last couple of days about trade with Mexico. Mexico had a $66 billion surplus—or we a deficit with them—last year. We have had a nearly ½ trillion dollar trade deficit with Mexico in the last 10 years alone, and Mexico is accusing us of unfair trade? I am sorry. We have a ½ trillion dollar deficit with Mexico in trade relationship in 10 years, and they believe we are unfair?

The recent action by Mexico against the United States is due to the fact that a large bipartisan majority of both Chambers of Congress objected to a Mexican long-haul trucking pilot program that the Bush Administration wanted to establish. The inspector general of the Transportation Department had said that in Mexico there is no central repository of drivers' records, no central repository of accident reports, and no central repository of vehicle inspections. We don't have an equivalent system. Well, there is nothing in a trade agreement that requires us to diminish safety on our roads. When we have equivalent systems or when we have conditions in both countries that are equivalent, you will hear no complaint from me about any pilot program of this type, but that is not the case today.

Just as an aside, at a hearing I held last year, we were told that one of the rules for the cross-border trucking program was that the drivers who were coming in with the big trucks were going to be required to be fluent in English. One way they would determine whether they were fluent in English is they would hold up a highway sign, such as a stop sign, to the driver and ask him: What is this sign? And if the driver replied, ''Alto,'' which means ''stop'' in Spanish, they would declare that driver fluent in English. Look, this made no sense at all. Let's make sure we protect the safety on America's roads. I have no problem with cross-border trucking as soon as we have equivalent standards. That is not now the case.

But my larger point with Mexico, as with other countries, is that we have a large and growing trade deficit—$66 billion last year with Mexico; ½ trillion dollars in 10 years. This country can't continue that. We have to have fair trade with other countries and fair trade agreements. And when we do, it seems to me we should be aggressive in trying to sell worldwide. We are good at this. We can prevail. We don't have to have an $800 billion deficit that threatens our country's economy. No one talks about it much, but the fact is, this enormous deficit undermines the strength of the American economy. It sucks jobs out of our country and moves them overseas in search of cheap labor. We can do better than that.

I intend to support Ron Kirk. I think he will be a good choice. However, I hope this trade ambassador understands that while our country stands for trade and our country stands for open markets, we ought to, for a change, also stand for fair trade agreements and we ought to stand for balance in trade and get rid of an $800 billion-a-year deficit in which we end up owing other countries a substantial amount of our future. It makes no sense to me.

So I am for trade, and plenty of it, but let's try to get it right for a change, to strengthen this country and put this country on the right track.

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

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

Mr. COBURN. Mr. President, I ask unanimous consent to yield back all time on the Kirk nomination.

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

Mr. COBURN. Mr. President, I ask unanimous consent that H.R. 146 be the pending business.

LEGISLATIVE SESSION

REVOLUTIONARY WAR AND WAR OF 1812 BATTLEFIELD PROTECTION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 146, which the clerk will report by title.

The legislative clerk read as follows:

A bill (H.R. 146) to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Bingaman amendment No. 684, in the nature of a substitute;

Coburn amendment No. 680 to amendment No. 684, to ensure that the general public has full access to our national parks and to promote the health and safety of all visitors and employees of the National Park Service;

Coburn amendment No. 679 to amendment No. 684, to provide for the future energy needs of the United States and eliminate restrictions on the development of renewable

energy;

and Coburn amendment No. 675 to amendment No. 684, to prohibit the use of eminent domain and to ensure that no American has their property forcibly taken from them by authorities granted under this Act.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, first of all, I ask unanimous consent to have printed in the RECORD the statement of the Secretary of the Interior, Ken Salazar, given yesterday before the Senate Committee on Energy and Natural Resources. I think Members will find significant support for my amendment on alternative energy in his statement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF KEN SALAZAR, SECRETARY OF THE INTERIOR, BEFORE THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES ON ENERGY DEVELOPMENT ON THE PUBLIC LANDS AND OUTER CONTINENTAL SHELF

Thank you, Chairman Bingaman, Senator Murkowski, and Members of the Committee, for giving me the opportunity to come before you today to discuss energy development on public lands and the Outer Continental Shelf (OCS) under the Department of the Interior's jurisdiction. This is my first hearing before you since my confirmation as Secretary of the Interior and it is an honor to be here.

President Obama has pledged to work with you to develop a new energy strategy for the country. His New Energy for America plan will create a clean energy-based economy that promotes investment and innovation here at home, generating millions of new jobs. It will ensure energy security by reducing our dependence on foreign oil, increasing efficiency, and making responsible use of our domestic resources. Finally, it will reduce greenhouse gas emissions.

During his visit to the Department for our 160th anniversary celebration two weeks ago, the President spoke about the Department's major role in helping to create this new, secure, reliable and clean energy future. The vast landholdings and management jurisdiction of the Department's bureaus, encompassing 20 percent of the land mass of the United States and 1.7 billion acres of the Outer Continental Shelf, are key to realizing this vision through the responsible development of these resources.

These lands have some of the highest renewable energy potential in the nation. The Bureau of Land Management has identified a total of approximately 20.6 million acres of public land with wind energy potential in the 11 western states and approximately 29.5 million acres with solar energy potential in the six southwestern states. There are also over 140 million acres of public land in western states and Alaska with geothermal resource potential.

There is also significant wind and wave potential in our offshore waters. The National Renewable Energy Lab has identified more than 1,000 gigawatts of wind potential off the Atlantic coast, and more than 900 gigawatts of wind potential off the Pacific Coast.

Renewable energy companies are looking to partner with the government to develop this renewable energy potential. We should responsibly facilitate this development. Unfortunately, today, in BLM southwestern states, there is a backlog of over 200 solar energy applications. In addition, there are some 20 proposed wind development projects on BLM lands in the west. These projects would create engineering and construction jobs.

To help focus the Department of the Interior on the importance of renewable energy development, last Wednesday, March 11, I issued my first Secretarial Order. The order makes facilitating the production, development, and delivery of renewable energy top priorities for the Department. Of course, this would be accomplished in ways that also project our natural heritage, wildlife, and land and water resources.

The order also establishes an energy and climate change task force within the Department, drawing from the leadership of each of the bureaus. The task force will be responsible for, among other things, quantifying the potential contributions of renewable energy resources on our public lands and the OCS and identifying and prioritizing specific ''zones'' on our public lands where the Department can facilitate a rapid and responsible move to significantly increased production of renewable energy from solar, wind, geothermal, incremental or small hydroelectric power on existing structures, and biomass sources. The task force will prioritize the permitting and appropriate environmental review of transmission rights-of-way applications that are necessary to deliver renewable energy generation to consumers, and will work to resolve obstacles to renewable energy permitting, siting, development, and production without compromising environmental values.

Accomplishing these goals may require new policies or practices or the revision of existing policies or practices, including possible revision of the Programmatic Environmental Impact Statements (PEISs) for wind and geothermal energy development and the West-Wide Corridors PEIS that BLM has completed, as well as their Records of Decision. The Department of Interior will work with relevant agencies to explore these options.

We will also, as I have said before, finalize the regulations for offshore renewable development authorized by section 388 of the Energy Policy Act of 2005, which gave the Secretary of the Interior authority to provide access to the OCS for alternative energy and alternate use projects. This rulemaking was proposed but never finalized by the previous Administration.

For these renewable energy zones to succeed, we will need to work closely with other agencies, states, Tribes and interested communities to determine what electric transmission infrastructure and transmission corridors are needed and appropriate to deliver these renewable resources to major population centers. We must, in effect, create a national electrical superhighway system to move these resources from the places they are generated to where they are consumed. We will assign a high priority to completing the permitting and appropriate environmental review of transmission rights-of-way applications that are necessary to accomplish this task.

Developing these renewable resources requires a balanced and mindful approach that addresses the impacts of development on wildlife, water resources and other interests under the Department's management jurisdiction. I recognize this responsibility, and it is not a charge I take lightly.

At the same time, we must recognize that we will likely be dependent on conventional sources—oil, gas, and coal—for a significant portion of our energy for many years to come. Therefore it is important that the Department continue to responsibly develop these energy resources on public lands.

In the past 7 weeks, the Department has held seven major oil and gas lease sales onshore, netting more than $33 million for taxpayers. And tomorrow I will be in New Orleans for a lease sale covering approximately 34.6 million offshore acres in the Central Gulf of Mexico. This sale includes 4.2 million acres in the 181 South Area, opened as a result of the Gulf of Mexico Energy Security Act. Continuing to develop these assets, through an orderly process and based on sound science, adds important resources to our domestic energy production.

Based on this approach, I announced last week that I would be hosting four regional public meetings next month in order to gather a broad range of viewpoints from all parties interested in energy development on the OCS. In addition, I directed the Minerals Management Service and the U.S. Geological Survey to assemble a report on our offshore oil and gas resources and the potential for renewable energy resources, including wind, wave, and tidal energy. The results of that report will be presented and discussed with the public.

The meetings will be held in Atlantic City, New Jersey, New Orleans, Louisiana, Anchorage, Alaska, and San Francisco, California, during the first two weeks in April.

These meetings are an integral part of our strategy for developing a new, comprehensive, and environmentally appropriate energy development plan for the OCS. I have also extended the comment period on the previous Administration's proposed 5-year Plan for development by 180 days. We will use the information gathered at these regional meetings to help us develop the new 5-year plan on energy development on the OCS.

Similarly, again based on sound science, policy and public input, we will move forward with a second round of research, development, and demonstration leases for oil shale in Colorado and Utah. While we need to move aggressively with these technologies, these leases will help answer the critical questions about oil shale, including about the viability of emerging technologies on a commercial scale, how much water and power would be required, and what impact commercial development would have on land, water, wildlife, communities and on addressing global climate change.

We are also proceeding with development onshore, where appropriate, on our public lands. As I noted above, the responsible development of our oil, gas and coal resources help us reduce our dependence on foreign oil, but this development must be done in a thoughtful and balanced way, and in a way that allows us to protect our signature landscapes, natural resources, wildlife, and cultural resources.

We also need to ensure that this development results in a fair return to the public that owns these federal minerals. That's why the President's 2010 Budget includes several proposals to improve this return by closing loopholes, charging appropriate fees, and reforming how royalties are set. Of course, I'll be happy to discuss these in more detail after the Administration's full budget request is released in the coming weeks.

Implementation of the President's energy plan will ultimately focus the nation on development of a new green economy and move us toward energy independence, and I and my team are working hard to put that plan into place.

Mr. Chairman, I know you and the Committee, along with the Majority Leader and others in Congress, are working hard on these issues. I believe we are being presented today with an historic opportunity to enhance our economy, our environment, and our national security. Too much is at stake for us to miss this opportunity.

Thank you, Mr. Chairman and Members of the Committee. I am happy to answer any questions that you may have.

Mr. COBURN. Mr. President, we are putting the cart before the horse, because one of the things the Secretary spoke about yesterday is that we have to figure out how to transfer all this renewable energy from Federal lands. What this bill and what a previous amendment that I have offered and that is now pending would do is to say this bill is going to offset that. We are not going to know where we need to send it or how we need to send it. With this bill, we are going to deny the options to the Secretary of the Interior in terms of transmission lines with geothermal, with solar, and with wind.

Mr. President, I also ask unanimous consent to have printed in the RECORD the opening statement of the chairman of the Energy and Natural Resources Committee, Senator BINGAMAN, because I am very pleased with his statements on oil and gas and renewables, and it again would support the amendment I have offered that we should not preclude renewables from this bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ENERGY PRODUCTION ON FEDERAL LANDS

I want to welcome my colleagues, our witnesses and especially Secretary Salazar to today's hearing on the important topic of energy development on public lands and the Outer Continental Shelf. Our Nation has abundant energy resources, a good portion of which are found on our onshore public lands and the Outer Continental Shelf. These resources are owned by all of the people of the United States, and their management is entrusted to the Federal Government.

That's why we're particularly pleased that our new Secretary of the Interior is here today to tell us about his vision for the development of our energy resources on public lands, both onshore and offshore. Secretary Salazar has important decisions to make—decisions that may prove essential to our Nation's energy security and economic well-being—but also decisions that will impact the landscape and our environment for generations to come.

I look forward to hearing more about the Administration's plans in this regard. I hope that Secretary Salazar can share with us his vision for how we can determine the best places for energy development on the OCS, and how we can move forward to get more energy production—both oil and gas and renewables—in a safe and environmentally sound manner from the Outer Continental Shelf.

I know that the Secretary is also interested in our onshore oil and gas leasing program. We recognize the contribution of that program to our energy supply. I hope that under his leadership, the BLM can resolve any resource conflicts up front, so that this important program can run smoothly and efficiently. To this end, it is also important that the inspection and enforcement program at the BLM be well-funded.

Finally, this Administration is clearly committed to renewable energy. I know Secretary Salazar is. The Department of the Interior and the Forest Service have a key role in the siting of generation and transmission facilities for wind and solar energy. I know that Secretary Salazar has already undertaken initiatives to bring about more renewable energy production on Federal lands.—Jeff Bingaman, Chairman, Committee on Energy and Natural Resources.

AMENDMENT NO. 682 TO AMENDMENT NO. 684

(Purpose: To protect scientists and visitors to federal lands from unfair penalties for collecting insignificant rocks)

Mr. COBURN. Mr. President, I ask unanimous consent that the pending amendment be set aside and amendment No. 682 be brought up and considered.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 682 to amendment No. 684.

Mr. COBURN. Mr. President, I ask unanimous consent that the amendment be considered as read.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. COBURN. Mr. President, this is a very simple amendment. We do have a problem with thieves stealing significant fossil remains from public lands, but the way the bill is written currently is that we are going to hit a fly with a sledgehammer. What we are going to do is put Scout leaders and troops, graduate students, and the regular public in line for tremendously harsh penalties if they inadvertently or inconsequentially pick up a small rock that might have a fossil.

All this amendment does is it tells the Secretary that ''they shall allow,'' without penalty, the insignificant capture of these small items—not to resell, not for going on the black market, but actually for educational purposes—by Scout troops, graduate students, college classes, and the like.

What we know from the history is that there have been significant difficulties in terms of the lack of law enforcement on public lands. This goes back to one of our other amendments we talked about earlier, which is not only is there a backlog in the repair and care of our public lands, but we don't have the money to enforce and protect the very assets which we think are paleontological assets, which we know are valuable both for history and science. We haven't had the forces capable of even enforcing what is already illegal. It is already illegal to steal those items from public land.

So what this amendment does is just change the wording from ''may'' to ''shall''; that the Secretary ''shall allow casual collecting'' that will not harm any of our public lands and will not put the truly innocent—simply inquiring minds—at risk of the harsh penalties of this segment of the bill. It is as simple as that. All it does is lighten up on the inadvertent and the non-inappropriate looking for small fossils and small rocks that may not even contain fossils. We have already had testimony that the majority of the people who have been arrested under the illegal statute have not been those who have been in the black market. It has been Scout leaders and graduate students and college professors who have actually been out there.

So I think it is a commonsense amendment, and I hope my colleagues will consider it and adopt it so that we don't overshoot on what is intended to be a solution to a very serious problem.

I would also like to spend a moment in rebutting some of the words of the Senator from California. I have not yet offered, but intend to offer, one amendment that will in fact strike some earmarks from this bill. The San Joaquin River has, no question, been engaged in a lawsuit. But if you ago back to 1924 and see what the Federal Government said about the salmon run over this area, it was already in decline. As a matter of fact, it was in a decline to a level very close to what we have seen today.

What we have had is a lawsuit that has reached a settlement that now we are to pay $1 billion with the specific goal not of 100,000 salmon, not of 30,000 salmon, but the goal in the settlement is 500 salmon. The likelihood of achieving that, for $1 billion, first of all, is unlikely. The ultimate outside costs are going to be tremendous. What are the costs? Through this lawsuit, we are going to put at jeopardy, put at risk, $20 billion worth of economic activity in one of the most fertile areas of California.

The Congressman who represents 85 percent of that district and his constituents are adamantly opposed to this settlement because they know what it is going to do in terms of the water resource for that agricultural community. Not everyone supports this settlement, as the Senator from California said, certainly not the Congressman representing the district.

The other claim Senator FEINSTEIN made is it would be less costly than the alternative litigation. If you use the two analyses done in the late 1990s regarding the economic impacts of water supply reductions, estimates paint the total costs of this settlement to the community at over $10 billion; $10 billion is the economic loss to be associated with this settlement.

At a time of economic difficulty, the last thing we need to be doing is cutting out another $10 billion of economic productivity.

AMENDMENT NO. 677 TO AMENDMENT NO. 684

I ask the pending amendment be set aside and amendment No. 677 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 677 to amendment No. 684.

The amendment reads as follows:

(Purpose: To require Federal agencies to determine on an annual basis the quantity of land that is owned by each Federal agency and the cost to taxpayers of the ownership of the land)

At the appropriate place, insert the following:

SEC. _____. ANNUAL REPORT RELATING TO LAND OWNED BY FEDERAL GOVERNMENT.

(a) ANNUAL REPORT.—

(1) IN GENERAL.—Subject to paragraph (2), not later than May 15, 2009, and annually thereafter, the Director of the Office of Management and Budget (referred to in this section as the ''Director'') shall ensure that a report that contains the information described in subsection (b) is posted on a publicly available website.

(2) EXTENSION RELATING TO CERTAIN SEGMENT OF REPORT.—With respect to the date on which the first annual report is required to be posted under paragraph (1), if the Director determines that an additional period of time is required to gather the information required under subsection (b)(3)(B), the Director may—

(A) as of the date described in paragraph (1), post each segment of information required under paragraphs (1), (2), and (3)(A) of subsection (b); and

(B) as of May 15, 2010, post the segment of information required under subsection (b)(3)(B).

(b) REQUIRED INFORMATION.—Except as provided in subsection (c), an annual report described in subsection (a) shall contain, for the period covered by the report—

(1) a description of the total quantity of—

(A) land located within the jurisdiction of the United States, to be expressed in acres;

(B) the land described in subparagraph (A) that is owned by the Federal Government, to be expressed—

(i) in acres; and

(ii) as a percentage of the quantity described in subparagraph (A); and

(C) the land described in subparagraph (B) that is located in each State, to be expressed, with respect to each State—

(i) in acres; and

(ii) as a percentage of the quantity described in subparagraph (B);

(2) a description of the total annual cost to the Federal Government for maintaining all parcels of administrative land and all administrative buildings or structures under the jurisdiction of each Federal agency; and

(3) a list and detailed summary of—

(A) with respect to each Federal agency—

(i) the number of unused or vacant assets;

(ii) the replacement value for each unused or vacant asset;

(iii) the total operating costs for each unused or vacant asset; and

(iv) the length of time that each type of asset described in clause (i) has been unused or vacant, organized in categories comprised of periods of—

(I) not more than 1 year;

(II) not less than 1, but not more than 2, years; and

(III) not less than 2 years; and

(B) the estimated costs to the Federal Government of the maintenance backlog of each Federal agency, to be—

(i) organized in categories comprised of buildings and structures; and

(ii) expressed as an aggregate cost.

(c) EXCLUSIONS.—Notwithstanding subsection (b), the Director shall exclude from an annual report required under subsection (a) any information that the Director determines would threaten national security.

(d) USE OF EXISTING ANNUAL REPORTS.—An annual report required under subsection (a) may be comprised of any annual report relating to the management of Federal real property that is published by a Federal agency.

Mr. COBURN. Mr. President, this is a simple amendment, too. It is a good housekeeping amendment. What this amendment does is requires the Federal Government every year to detail to the people of this country the amount of the property that the Federal Government owns and the cost of that land ownership to taxpayers. Do you realize right now we have 21,000 buildings that are owned by the Federal Government sitting empty? We have 40 million square feet of excess space that is not being used, just by the Department of Energy alone.

The Federal Government currently does not disclose these assets. As a matter of fact, they do not even know what they are. What this amendment would do is ask the Federal Government, through the OMB, to create an inventory of Federal assets as far as land and buildings are concerned. We do not know what it costs us to maintain it. We don't know if it is economical for us to continue to maintain it as a Federal Government property or whether we ought to put it up for sale or we ought to cede it to the States, to an Indian tribe or some other Government agency where it can be utilized. We just don't have the knowledge. Without this kind of knowledge there is no way that Congress can manage Federal properties and Federal lands.

What this would specifically require is the Office of Management and Budget to issue a report detailing the following: the total amount of land in the United States that is owned by the Federal Government; the percentage of all U.S. property controlled by the Federal Government, that is controlled—maybe not owned but controlled; the total cost of operating and maintaining Federal real property, including land, buildings and structures; a list of all Federal property that is either unused or vacant—that is something we should know which we do not know—and the estimated cost of the maintenance backlog on Federal land, buildings, and properties by agency.

This will give taxpayers greater transparency. It allows the taxpayers to know what kind of poor stewards we are with Federal property and land. It will also give us a focus to direct the maintenance backlog that we have today, to create a priority for it. We can see it in light of all the maintenance problems by agency.

It also will help us when we are considering a bill like this one. Nobody knows the total impact of this bill—this bill, 170 bills. Nobody has done a study to say what the total impact is going to be. We don't know what the total impact is going to be on energy transmission. What we do know is it is going to hinder it greatly. What it does is it gives us a management tool.

According to the Congressional Research Service, the total amount of Federal land is unknown. In fact, different sources show significantly different estimates. This is their direct quote:

> The estimate of $650 million assumes the four Federal land management agencies have reasonably accurate data on lands under their jurisdiction, and the Department of Defense.

I would note that this amendment specifically excludes any properties that should not be known publicly, that are of national security or defense nature.

It is interesting, the Government tracks property we own, but the taxpayers cannot track the property the Government owns. Let me repeat that. Government at all levels tracks the property we own, but the taxpayers are not allowed to track the property the Government owns through them—ridiculous. The Government should have to disclose exactly the same information, when it is not a national security issue, that we have to disclose on our own property.

What we do know is that the Federal Government controls more than one-fourth of the Nation's total land, and that continues to grow. It is going to grow by almost 3 million acres in this bill. Between 1997 and 2004, the latest years for which reliable information was available, Federal land ownership increased from 563 million to 654.7 million acres. In 7 years it grew 100 million acres. That is 100 million acres on which nobody is collecting any property tax. It is 100 million acres we are not taking care of. It is 100 million acres that have facilities and structures and backlogs on maintenance issues on it that are costing us dearly every year. As the Federal Government takes more land, the costs of maintaining the property increases and the maintenance backlogs continue to grow.

It also does something else. In this 100 million acres of growth in the 7 years up to 2004, that is 100 million acres that is not available to the American public to utilize in a productive way, in a way that could build capacity, could build wealth, could build jobs. None of that happens. The only jobs that come with Federal Government programs or Federal Government property is Federal jobs that are not necessarily productive of new assets, new wealth, and new job creation beyond it.

The other thing we know is, as this 100 million acres has been added over the previous 7 years, that the maintenance backlog of what we do own has fallen further and further behind. We know, according to the GAO, the maintenance backlog just at the Forest Service—not the national parks—we know that is somewhere between $12 billion and $19 billion. But the Forest Service has tripled.

The other problem I mentioned earlier, of the 21,000 buildings we have now that we are not utilizing, we could reduce the debt by $18 billion just in the maintenance costs to those buildings. Think about that. We have 21,000 buildings sitting. We are not doing anything with them except maintaining them, and we are spending $18 billion that we do not have taking care of buildings whereas we could get $18 billion for those buildings if we would dispose of them. But we have been blocked in this body from proposing real property reform.

The first step, then, is to know what we have, and this is just a guess of what we have. I mentioned earlier that the Department of Energy—I said 40—it is 20 million square feet of excess capacity. That is three times the size of the Pentagon. So three times the size of the Pentagon, you could put five U.S. Capitols inside the Pentagon in terms of square footage.

The other benefit from this is transparency will help us every time in every way. Knowing what we need to know about Federal property, knowing what we need to know about maintenance backlogs, is key to us fixing the problem. We cannot manage Federal property unless we know what we are managing, unless we have the details and the data. My hope is this amendment will be accepted and that the American people can actually know what they own, much like the Government knows what they own.

I have one other amendment to offer, but I will defer that to a later point in time, and at this time I yield the floor.

The PRESIDING OFFICER (Mrs. McCASKILL). The Senator from New Mexico is recognized.

Mr. BINGAMAN. Madam President, I believe at 2 o'clock we are proceeding to vote on a nomination and then also on three of the six amendments that are being proposed by the Senator from Oklahoma to this omnibus lands bill. I just want to speak briefly about the three amendments that we are expected to vote on in the sequence of votes beginning at 2 o'clock.

AMENDMENT NO. 680

As I understand it, the first of those is an amendment, SA 680, prohibiting construction in the national parks. This amendment prohibits the National Park Service from beginning any new construction until the Secretary determines that ''all existing sites, structures, trails, and transportation infrastructure of the National Park Service are—fully operational; fully accessible to the public; and propose no health or safety risk to the general public or employees of the National Park Service.''

The amendment excludes from the new construction ban, first, ''the replacement of existing structures in cases in which rehabilitation costs exceed new construction costs''; or, second, the second area that is excluded from the construction ban would be ''any new construction that the Secretary determines to be necessary for public safety.''

The amendment, as I read it, would eliminate the ability of Congress to determine what funds should be appropriated to each park. In all likelihood, the Secretary would never be able to make the certification called for in the amendment since there would always be some backlog. So this amendment would ensure that we would not proceed with new construction in our national parks.

The amendment also appears to prohibit the expenditure of already appropriated funds, if the construction has not yet begun, which would negate funds recently appropriated as part of the American Recovery and Reinvestment Act and also funds contained in the Omnibus Appropriations Act that was approved by this Congress.

For those reasons, I urge my colleagues to oppose that amendment.

AMENDMENT NO. 679

The second amendment I wanted to talk about is Coburn amendment No. 679. That amendment states:

Notwithstanding any other provision of this Act, nothing in this Act shall restrict the development of renewable energy on public land, including geothermal, solar and wind energy and related transmission infrastructure.

Madam President, the proponent of the amendment argues we should not designate the wilderness or national park or other conservation in the areas set out in this bill because they will restrict our sources of energy. I disagree with that.

For example, the bill, as it stands before us, designates 15 new wilderness areas. None of those areas have significant energy development potential. Three of the wilderness areas are within national parks where energy development is already not allowed. So the wilderness designation would not change that in any way.

The remaining wilderness areas are on land administered by the Bureau of Land Management or the Forest Service, and those agencies have provided information to our committee, the Energy Committee, that the new wilderness areas have low or no potential for energy development within the areas designated.

In addition to the wilderness areas, the amendment would undermine the designation of several other areas that are created to protect naturally significant features. For example, the bill designates a new national monument and a new national conservation area in my home State of New Mexico, one of which will protect a series of fossilized prehistoric trackways and the other which protects a large cave system. Neither site is appropriate for energy development. Neither designation would reduce the contribution made by New Mexico as a major energy provider.

We are currently working on an energy bill in our Energy and Natural Resources Committee that will encourage the development of renewable energy. However, the areas designated in this bill will not reduce our Nation's ability to develop these resources.

AMENDMENT NO. 675

The third amendment I wished to briefly describe or discuss is the amendment No. 675 offered by the Senator from Oklahoma. This amendment states that no land or interest in land shall be acquired under this act by eminent domain.

First, it is important to understand that there are no provisions in this act that grant the Federal Government eminent domain authority. That authority already exists. It has existed since the founding of the country.

The use of eminent domain authority, however, is limited and controlled by the fifth amendment and by certain Federal statutes. These provisions require just compensation when eminent domain is actually used.

Secondly, there are no major land acquisitions in the bill. The amendment could impact the water projects that are authorized by the bill, particularly the Indian water rights settlement and rural water projects that are authorized in titles IX and X of the regulation.

Eminent domain, while sparingly used, has at times been a crucial tool for the Bureau of Reclamation in its attempts to complete important water projects. Examples that come to mind are the Central Arizona Project. My colleagues from Arizona are very familiar with the benefits that has brought to the State of Arizona.

The Central Utah Project, again, my colleagues from Utah undoubtedly know the value of that project. In such cases, without this tool, it likely would have been impossible to complete the reservoirs and drinking water pipelines and irrigation canals that are so crucial to the communities that are served by those projects.

The amendment that is being offered is problematic for several reasons. Let me recount those: First, it would impede the construction or increase the cost of several of the water projects provided for in this bill. This could result in the failure to complete projects or to implement one or more of the Indian water rights settlements that are being resolved.

The Navajo settlement, which includes a rural water project critical to the Navajo people, is one of particular importance to me. It needs to be fully implemented without delay, and elimination of this authority would impede that. The language of the amendment is not limited to Federal agencies. Accordingly, it would be interpreted to restrict eminent domain by State-based entities if Federal money is involved as part of a condemnation.

The Eastern New Mexico Project is an example of a project where the local water authority will be responsible for securing rights of way for the project. It does not intend to condemn any property rights, but it will have that power, if needed, to deliver much needed water to the communities in rural New Mexico that will be served by the project. The Coburn amendment could interfere with the authority of that local entity to complete that project.

Finally, the Bureau of Reclamation indicates it has at times used so-called friendly condemnation to acquire State and local lands when the relevant government entities do not have the authority to sell such land. This has been a valuable tool to the Bureau of Reclamation and could be prohibited by the Coburn amendment.

In sum, for well over 100 years, the Bureau of Reclamation, as one agency, has balanced public needs with private property rights to help address critical water needs throughout the West. I expect that Reclamation's approach will not change as a result of anything in this bill. The Coburn amendment is unnecessary, would likely complicate the work done by numerous communities to address the water issues that affect their future.

I urge my colleagues to oppose that amendment as well.

I yield the floor. I see my colleague from Oklahoma is here and would like to continue with his other amendments.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. While I thank the chairman, the Senator from New Mexico, for his words and his comments, I would note that true eminent domain was not truly exercised in this country until the authority was given in 1960, not at the start of our founding. As a matter of fact, we believed in property rights in our founding. It is only since 1960 have we decided the Government knows better than a private landowner.

I ask unanimous consent to have printed in the RECORD the present ongoing debate on eminent domain between the Friars and the National Park Service on the Appalachian Trail, just to show you how controversial the taking of land of private homeowners, landowners is, when we, in our ultimate wisdom, say we know better than the people who own private land in this country.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FRIARS AND NATIONAL PARK SERVICE FACE OFF ON APPALACHIAN TRAIL

EMINENT DOMAIN PROCEEDINGS HALTED

(By Margaret O'Sullivan)

The Franciscan Friars and Sisters of the Atonement at Graymoor met with officials from the National Park Service: Judy Brumback, Chief of the Acquisitions Division and Pamela Underhill, Park Manager of the Appalachian Trail; US Senator Charles E. Schumer and Congresswoman Sue Kelly on August 7. The topic was the disputed 20-acre parcel the National Park Service wants as ''a buffer area'' for the Appalachian Trail. As reported in this paper on July 19, 2000 the Park Service obtained an easement on 58 acres of Friar land just north of the contested section in 1984 when the Friars sold the development rights of that parcel to the Park Service. The following year the agreement was violated when a pumphouse for a sewage treatment plant was built by the Franciscan Friars on the land.

After a private meeting on a hot and humid August 7, between the Friars and the Park Service, moderated by Senator Schumer and Congresswoman Kelly, Senator Schumer said that letters had been going back and forth to the Park Service since May this year and finally the situation had come to a head. He stated that ''good news'' is on the way: The lawsuit is on hold, the parties have come back to the table for talks and they have a basic agreement in that their goals are not really in conflict.

A further meeting is scheduled for August 23, 2000 when discussions will take place in order to resolve the dispute. Senator Schumer further stated that it is great to have the Friary here—it is probably the best part of the Appalachian Trail, if one was caught in a storm or in need. The Friars welcome anyone who might need assistance, a shower or a meal while hiking the trail. As Senator Schumer indicated, there are many solutions short of legal action. He said he has ''a nose'' for when disputes will escalate or get resolved and it is positive for the community to bring both sides together. The situation should be resolved amiably; there are no gains by continued fighting.

Congresswoman Kelly said that recently the National Park Service had turned down a request from her office to arrange a meeting between the Friars and the Park Service to resolve the matter. Instead the National Park Service initiated eminent domain proceedings through the Justice Department. She hadn't thought another meeting would rake place this soon but stated that ''it appears that the Park service is finally coming to its senses.'' ''Their decision to pursue this case using such heavy-handed tactics is wrong. The Justice Department should play no role in this matter. The Friars contribute to our community every day. Their work has touched the lives of countless individuals and the Hudson Valley community as a whole. I don't want to see their work hindered in any way.'' She said it was a good sign that the Justice Department had withdrawn any legal action and emphasized that the dispute is not about development but about the use of land.

Rev. Arthur M. Johnson, Minister General of Graymoor, (Fr. Art) thanked both Senator Schumer and Congresswoman Kelly for ''pressuring'' the two factions to get together face to face. He felt that the Friary and the National Park Service actually had a common goal, and that is people. Hiking the Appalachian Trail gives people a natural experience while the Friary wants to continue their ministry to help those in need. Many hikers, over 400 a year in fact, have experienced the Franciscan hospitality while hiking the Trail, a service recognized by hikers and the Park Service alike. He felt it was a ''win-win'' situation for all.

Pamela Underhill, Park Manager of the Appalachian National Scenic Trail, agreeing in principle with Fr. Art, stated that it was rewarding to meet and felt that the lines of communication had vastly improved. She too touched on the common goal theme, which offered both a ''Godly and natural retreat.'' She reiterated the need for a ''buffer zone'' along the trail, which is the heart of the matter. Although Ms. Underhill and Fr. Art had both hiked the Trail, they had never hiked together—August 7th was the first time.

They hit the trail along with other Friars, Senator Schumer, Congresswoman Kelly and members of the press. All agreed that it was very beneficial to actually see the site in question, and the position of the pumphouse in proximity to the Appalachian Trail. Putting their ''worst fears'' on the table, Pamela Underhill stated that she is concerned about the Trail and development of any land in close proximity to the Appalachian Trail. Fr. Art's concerns were about the future of their ministry. He did not want to see any plans they may have for the future undermined which could curtail their ability to sustain the needed infrastructure to minister to the thousands of men and women who come to Graymoor each year.

Both sides are optimistic about the upcoming meeting on August 23rd.

Mr. COBURN. I would also note the testimony yesterday given by the Secretary of the Interior on his idea that we have to figure out where the transmission lines are going to run.

This bill goes against exactly his testimony before your committee yesterday. Because what he said was, we need to plan ahead where the transmission lines are going to go. We need to know that before we block off anything else. That was the implication of his testimony.

For these renewable energy sites to succeed, we need to work closely with other agencies, States, tribes, and interested communities to determine what electric transmission infrastructure and corridors are needed and appropriate to deliver the renewable resources to major population centers. Our own Secretary of the Interior, our former colleague, says we have the cart before the horse.

What we heard in opposition to the first amendment, No. 680, is a continued slight to the American people in terms of taking care of the properties we have. Now, the GAO says, and the IG of the Department of the Interior, it is somewhere between $12 and $19 billion in backlog.

What we hear is nobody wants to put a priority in taking care of what we have. What we want to do is build more new and let what we have crumble. The last thing we should be doing is building something new until we take care of what we have. Go to any of our national parks and talk to the people who are in charge of the maintenance and they will tell you: Congress never gives us the money to take care of it. And it is growing at $1 billion a year in terms of backlog.

I understand the chairman's reluctance to accept these amendments. I respect him greatly. But we are going to continue on doing what we have been doing, which is a shame looking at our national parks.

I have not even talked seriously about the backlog at the Forest Service. So if we want to deny the amendment to not start new construction unless the Secretary certifies it is something for safety or that it would, in fact, help us build something that would cost more to fix than to repair, then we are going to keep on allowing this backlog to grow. That is exactly what this bill does. This amendment is not trying to stop or play any games, it is saying, let's catch up with the real need we have in our parks now. Let's catch up with the needs on the National Mall. Let's catch up with the $200 million backlog at the Statue of Liberty. No, we are not going to do that. We are going to authorize all these new programs. Then we are going to fund the new programs because we look better doing it than taking care of the very valuable assets we have.

I disagree with my colleague from New Mexico on the importance and the intention of that amendment. The amendment is to cause us to focus on priorities which this body has not. One of the reasons we have not is because we do not have my other amendment

saying we need a list of what we have, where we have it, what the problems are, and what the backlogs are.

With that I yield the floor.

The PRESIDING OFFICER (Mr. BROWN.) The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak as in morning business.

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

2010 BUDGET

Mr. GRASSLEY. Mr. President, yesterday I had an opportunity to address my colleagues on my concerns with the budget sent to us by President Obama, a bloated budget crawling with tax increases. Today, I would like to be more specific in that discussion.

Almost 3 weeks ago, President Obama sent his first budget up to Capitol Hill. The deficit and debt proposed in that budget are eye-popping. President Obama is correct when he says he inherited a record budget deficit of $1.2 trillion. Let me repeat that because this Senator and the Senator from Idaho are willing to be very transparent on what the numbers are. You do not argue with them.

I can say we agree with what President Obama said, that he inherited a record budget deficit of $1.2 trillion. This is a chart that shows the pattern of Federal deficits over the past few years. We go out to the year 2019 because the Congressional Budget Office always looks ahead in their projections. You can see what those deficits are—obviously, very high where we are right now because of the recession we are in and things of that nature.

But from the talk around here, especially the talk from the Congressional Democratic leadership, you would think they got majority power just this January, 2 months ago. You would think there was no role of the Democratic Party in creating deficits that President Obama inherited. Now we even have some in the administration who are joining this chorus. A very smart guy, a guy we all ought to respect for his understanding of economics, former Treasury Secretary Summers, now Director of the National Economic Council, said Sunday on a news show that a Republican President—and emphasis upon Republican Congress—had left President Obama with this inherited deficit.

Well, I am sure Senator MCCONNELL would have liked to have been majority leader, but he would be glad to correct Dr. Summers and let him know he was not majority leader but was minority leader during the years of 2007 and 2008.

Likewise, Congressman BOEHNER, though he would like to be Speaker, was not Speaker. He would be glad to point out he was leader of the minority, the Republicans, within the minority in the House and not Speaker during 2007 and 2008.

So the correction comes from the fact that Congressional Democrats and the last Republican administration agreed on the fiscal policy in the last Congress. The Congress, namely the Democratic leadership, together with former President George W. Bush and that administration, wrote the stimulus bill, wrote the housing bills, and had a great deal to do with financial bailouts.

The congressional Democratic leadership wrote the budgets and the spending bills of 2007 and 2008. So we need to set the facts straight. President Obama did, as I said twice—I will say again—inherit the deficit and debt. But—and a very important ''but''—the inheritance had bipartisan origins, the Democratic Congress, on the one hand, and a Republican President on the other hand.

Now, what is more, the budget the President sent up would make this extraordinary level of debt an ordinary level of debt.

We have to think about the budget coming up because this is budget month. These issues are going to be driven home to the people. We have an extraordinary level of debt in this budget. It soon may look like an ordinary level of debt, and it will be. What is now an extraordinary burden on our children and grandchildren would become an ordinary burden.

I have a chart that shows this inherited debt. The inherited debt meaning what was inherited by this administration on the day they were sworn into office, January 20 of this year, is here. This black line is the percentage of gross national product. This is real dollars. So you see by 2019 how it grows and how it still is very big debt. But this inherited debt is not a pretty picture. But the picture gets uglier because in the last year of the budget, meaning the budget the President sent up here, debt held by the public would be two-thirds, 67 percent, of our gross national product. In other words, what was inherited has the national debt coming down to about 42 percent of gross national product, but what is happening from this point on with the budget we have, this black line will come up here at 67 percent. That is the legacy of this budget.

That number assumes also the return of a healthy economy, which we all hope happens. I suppose most Presidents would assume a healthy economy, but it is not a certainty. That means President Obama's budget assumes that a prosperous United States will carry the debt to more than two-thirds of the gross national product as we look out 10 years ahead, and the Congressional Budget Office does that on an automatic basis. That number, if the economy is healthy, will be 67 percent, right here, that black line. If the budget is not as healthy as what they project then, of course, that black line will be higher than 67 percent.

In terms of proposed tax policy, the President's budget does contain some common ground. If President Obama wants to pursue tax relief, he will find no better ally than we Republicans. If President Obama wants to embrace fiscal responsibility and reduce the deficit by cutting wasteful spending, Republicans on Capitol Hill will have his back. From our perspective, good fiscal policy keeps the tax burden low on American families, workers and small businesses and keeps wasteful spending in check. For the hard-working American taxpayers, there is some good news in this budget. President Obama's budget proposes to make permanent about 80 percent of the bipartisan tax relief plans set to expire in less than 2 years. For 8 long years, Republicans have tried to make this bipartisan tax relief permanent. Now the Democratic leadership seems to have seen some of that light. They now agree with us Republicans that families should be able to count on marriage penalty relief, on a double child tax credit. Democratic leaders now seem to agree with decisions that were in the bipartisan tax bill of 2003, agree with us Republicans that low-income seniors who rely on capital gains and dividend income will be able to rely on low rates of taxation as they draw on their savings.

Democratic leaders now agree with Republicans that middle-income families will be able to count on relief from the alternative minimum tax. They were never supposed to be taxed in the first place, but it is not indexed. So they would agree that we protect middle-class taxpayers from the AMT which was not indexed. President Obama will find many Republican allies in his efforts to make these tax relief policies permanent.

I wish the budget I am referring to, the budget that came to the Hill a couple weeks ago, was as taxpayer friendly, but it is not. There is a lot of bad news for American taxpayers. If you put gas in a car, heat or cool your home, use electricity to cook a meal, turn on the lights, power a computer, there is a new energy tax for you in the budget from the President. This tax would exceed a trillion dollars. I better say ''could'' exceed because the figure in the budget is less than that, but most everybody around here thinks it is going to be over a trillion dollars.

This budget also raises taxes on those making more than $250,000. That sounds like a lot of money to most Americans. If we were only talking about the idle rich, maybe the news wouldn't be so bad. But we are not talking about coupon clippers on Park Avenue. We are not talking about the high-paid, corporate jet-flying, well-paid hedge fund managers in Chicago, San Francisco or other high-income, liberal meccas. Many of the Americans targeted for this hefty tax hike are successful small business owners. Unlike the financial engineers of the flush, liberal meccas of New York, Chicago, and San Francisco, a lot of these small businesses add value beyond just shuffling paper. There is bipartisan agreement that small business and all these businesses are the main drivers

of our dynamic economy. Small businesses create 74 percent of all new private sector jobs, according to latest statistics. On Monday, my President, President Obama, used a similar figure of 70 percent. Whether it is 70 or 74 percent, it means the vast majority of small businesses create most of the new jobs in America. They are the employment machine. Both sides agree we ought to not hurt key job producers that small businesses are.

President Obama also mentioned his zero capital gains proposal for small business startups. It might surprise you, but we Republicans agree with President Obama on that issue. We are still trying to figure out why Democratic leadership doesn't agree with the President on that small business-friendly proposal, because we tried to get a better proposal in the stimulus bill. If we also agree that small business is the key to creating new jobs, why does the Democratic leadership and the President's budget propose a new tax increase directed at these small businesses of America that are most likely to create new jobs? Wait a minute, please. Many on the left side of the political spectrum say only 2 or 3 percent of the small businesses are affected by this tax increase. That figure was developed by a think tank, and it is based on a microsimulation model. Treasury studies show the figure to be considerably higher. But to focus solely on the filer percentage is to miss the forest for the trees. It is to assume that all small businesses have the same level of activity, that they employ the same workers, that they buy the same number of machines, that they make the same number of sales. Common sense has to prevail, and common sense will tell you that can't be the case.

In fact, it is not the case. The data on small business activity tells a different story. I come to that conclusion this way. According to a recent Gallup survey, over half the small business owners employing over 20 workers would pay higher taxes under the President's budget. This chart depicts the number of small businesses hit by this tax increase. We point to different levels of employment of small business being affected by this. We get to a point out here where we have 950,000 businesses, one-sixth of small businesses, with 1 to 499 employees are hit by it. Do we want to destroy that employment machine? I don't think so. But this tax proposal will do that.

I have another chart that shows that roughly half the firms that employ two-thirds of small business workers, those with 20 or more workers, are hit by the tax rate hikes in the President's budget. I will not go through all of them, but we can see here, 50 percent of the employers with employees of somewhere between 20 and 499 are hit by that big, fat tax increase.

According to Treasury Department data, not mine, these small businesses account for nearly 70 percent of small business income. So there is a big tax hit on small businesses that employ 20 or more workers. It is a marginal tax rate increase of 20 percent. Everybody, Democrat or Republican, ought to think about how these dynamic small businesses, responsible for two-thirds of small businesses, will react. That 20 percent in new taxes has to come from somewhere.

We Republicans will also scrutinize the budget for other major new taxes. We have discussed the new cutbacks on itemized deductions. I am referring to home mortgage interest, charities and State and local taxes. We Republicans will question a broad-based energy tax that actually cuts jobs and could, according to the Massachusetts Institute of Technology, cost consumers and businesses trillions.

In these troubled economic times, we ought to err on the side of keeping taxes and spending low and reduce the deficit. Keeping taxes and spending low, along with reversing the growth in Federal debt, will push the economy back to growth. It is the only way we will provide more opportunities for all Americans.

Getting our private sector going, making small business strong is the basis for getting out of this recession and continuing to grow. I hope throughout this process of the budget debate, we will remember a firm fact that ought to be common sense, but I am not sure in this town it is seen as common sense: Government does not create wealth. Government consumes wealth.

I hope my colleagues will listen to my friend from Idaho as he gives his version of the budget. He is an outstanding member of our Finance Committee, and I appreciate his work.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The senior Senator from Idaho is recognized.

Mr. CRAPO. Madam President, I ask unanimous consent to speak as in morning business.

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

Mr. CRAPO. Thank you very much, Madam President.

I appreciate the opportunity to come to the floor this morning and join with my colleague, Senator GRASSLEY from Iowa, who is the ranking member of the Finance Committee. It is truly a pleasure to serve with him on that committee. He is one of those who, day in and day out, year in and year out, fights for fiscal responsibility at the Federal level. I appreciate his support and share in the comments he has made already today.

I wish to start my remarks by talking about a meeting I had this morning in my office with a couple of mayors from two Idaho cities and a number of young students whom they brought with them from their respective cities to come to Washington, DC. These two mayors have established a mayor's council of students in their cities and work with these students on public issues and help these young people find an effective way to be active and involved.

As they came to visit with me today, they brought up two issues. The first issue they brought up was the alarming rate of high school dropouts and the need for us to pay attention to our educational system. They talked with me about a number of interesting ideas we should pursue as we try to regain America's lead in excellence in education. I am going to have more to say about that on the floor and in other contexts on another day.

But I thought it was very interesting; the second issue they brought up with me was directly relevant to the remarks I planned to make on the floor today; that is, they brought me a set of petitions—I am holding them in my hand right now—with the signatures of about 400 students in Idaho, whom I think properly reflect many, many, more than they, who have asked that we pay attention to our national debt and our inability—our inability in Congress—to achieve fiscal responsibility.

These young people said what I and many others have been saying, only they said it best; that is, that our inability to control our fiscal house here in Washington, DC, is jeopardizing their future and it is jeopardizing their children's future and their children's future.

Now, we often say that on the floor, but I had the opportunity today to meet with these young people who looked me in the eye and asked me to do everything I can to help protect them from what they see happening as a result of a runaway Congress and a runaway spending plan in this Congress that will specifically fall on their shoulders to bear.

Well, they talked with me about things such as who owns our national debt. They pointed out, as most Americans are starting to realize, that foreign nations own most of our national debt, which raises additional threats to our security.

Today, China and Japan are the primary holders of our national debt. As I think many Americans have noted recently, the Chinese are starting to wonder whether this investment in U.S. debt instruments is a viable investment because of the spending policies of our Nation.

Well, I am here to talk about the budget that this Senate and this Congress are now beginning to consider. In addition to sitting on the Finance Committee, I sit on the Budget Committee. In the next few weeks, the Budget Committee is going to begin its deliberations on the budget the President has submitted to us.

Every year, the President submits to Congress a budget. I do not think in any year I have served in Congress has the Congress actually adopted the exact budget the President has proposed. But the President's budget proposal acts as a guide from which the Congress then crafts its own budget.

I believe this year Congress must be very careful in following the proposals or using as a model or a guide the budget which we have been given.

As shown on this chart, the budget that has been proposed to us will increase taxes by approximately $1.4 trillion. This number is hard to get at because we do not have the details yet. The reason I say that is because many—including myself—believe that is a very low number in terms of the actual amount of the tax increases. I will explain that in a moment.

It increases discretionary spending by $725 billion. These are 10-year numbers. As my colleague from Iowa said, the budgets project out over a 10-year cycle, and it increases mandatory spending by $1.2 trillion.

If you look at the spending side of this for a minute—for those who do not pay attention to our discussion of different pieces of the budget here in Washington, mandatory spending generally is spending that previous Congresses and previous Presidents have already debated, passed into law, and signed into law and is ongoing. I call it spending that is on autopilot because this spending will happen regardless of whether Congress ever votes or meets again. It is law, and regardless of the status of the economy, regardless of the demographics of our Nation and what is happening in the world in which we are living today, the law requires this spending occur. It is what often we call entitlement spending—''entitlement'' because the law has created an entitlement, and if a person qualifies in a certain way, they are entitled to receive payment under the law.

Now, the vast majority of this entitlement spending, as most people know, is Medicare, Medicaid, and Social Security. There are other entitlement laws, mandatory spending laws, in the United States, but the vast majority—the vastly largest percentage—are Medicare, Medicaid, and Social Security. Also added into this category of mandatory spending is interest on the national debt because that also must be paid.

So you can think of the mandatory spending or autopilot spending as basically this column here, as shown on the chart, that represents about two-thirds—roughly, about two-thirds—of all the spending in each year's average budget.

The discretionary spending is everything else. That is what we actually vote on in Congress every year in our appropriations process. As I have said, it is roughly about a third of our budget. That spending can also be divided roughly in half. Approximately half of it is national defense and security spending; and approximately half of it is everything other than defense. So you often hear us talk about nondefense discretionary spending. That is what we are talking about: the things Congress actually votes on every year.

Together, our discretionary spending and our mandatory spending are the spending side of our budget. As you can see on this chart, we are proposing in both categories dramatic increases over the next 10 years. The fiscal restraint is not there. At a time when Americans are tightening their belts, this budget grows the size of Government by 9 percent—9-percent growth for nondefense programs in just the year 2010 alone. If you go back to the 2009 budget we adopted and finalized in our appropriations process in this Congress and add the growth there into it as well, you will see a 20-percent growth—a 20-percent growth—in our nondefense spending in this country since the year 2008.

The fiscal restraint is lacking in this budget proposal. In fact, there is only one category of this budget in which there is any actual reduction in spending, and that is in the defense side of the ledger. There are actual proposed reductions in defense spending in the President's budget. But only in that category.

If we look at the tax side for a moment, you can see there is $1.4 trillion of new taxes. As I said a minute ago, that number is kind of hard to quantify. Why is that hard to quantify?

Well, the President has said his tax policies would reduce taxes for 95 percent of American taxpayers. That statement can only be accurate if you only look at one kind of tax; namely, income taxes. I believe it is correct that in the income tax category, there will not be an increase for the vast majority of Americans, and, in fact, for most Americans we might actually see a reduction.

But if you look at all the other proposals for tax increases and tax adjustments in the President's budget, you see there is going to be a huge increase in tax payments by Americans in every category of income in this country.

Those taxes include things such as a brandnew—and this is the part that makes it difficult to give a final number—a brandnew tax on energy. It is part of what some have called the cap-and-trade proposal the President has made on carbon fuels. Others have called it a cap-and-tax approach.

The point, however, is, under this new energy proposal, somewhere between $600 billion and $2 trillion of new cost will be put on carbon-emitting energy sources, and Americans will pay those increased costs, primarily in their utility bills. The President himself has said this proposal would cause electricity rates to skyrocket. We do not know exactly to what level, but everyone who uses electricity, everyone who pumps gas at the gas station, everyone who uses natural gas can expect to see—and we do not know the details yet, which is why we cannot give the details on the numbers, but they can expect to see significantly increased costs for them in their household budgets.

Now, some would say that is not a tax. That is just a fee or it is just an increase in the price of your electricity as a result of some national policies. But however you say it, the fact is, there is a projected revenue to the Federal Treasury to come from people who will pay more on their electricity bills and pay more on their gasoline and other fuel bills that will be somewhere in the neighborhood of $1.4 trillion. Many of us think it is going to be closer to $2 trillion.

The list goes on.

It is proposed the capital gains and dividends tax rates go up. Some argue that only hurts wealthy people. In fact, the argument made on this floor so often is: Any tax increase is justified as being a tax increase on only the wealthy. Well, if you look at dividends and capital gains and look at the kinds of people in this country who own stock, either in their own individual account or through a pension fund, it reaches far deeper than just the wealthy. The people who are impacted day in and day out by having to pay tax on dividends and capital gains are far more people than simply those who are the so-called wealthy.

The list goes on.

The bottom line is, the budget will raise taxes by about $1.4 trillion and raise spending—both in discretionary and mandatory levels—a greater amount.

Now let me look at this last category shown on the chart. It is called mandatory savings. The number there is zero. Now, why do we have that column? In order to change—remember the law I told you about earlier: The entitlement programs are already the law. If we are going to change and gain savings in this category of mandatory spending, we have to literally vote to change the law. It takes 60 votes in the Senate to do that because we always face a filibuster when we try to find savings in this category of entitlement spending.

But in the budget proposal the Budget Committee will put forward, the Budget Committee is allowed to propose that there be savings here. And then, if the Budget Committee can get that proposal adopted in the budget, our respective committees of jurisdiction in the areas where the entitlements lie are required by the budget to find those savings and make law-change proposals to Congress so we can achieve some savings.

The reason I have this column on the chart is because in the budget that has been proposed, there are no savings proposed. There is not even a request that $1 of savings be found in the entire entitlement system. That is wrong also.

Now, let's go to the next chart.

This is a chart that shows the deficits we expect to face—not the national debt but the deficits, the yearly deficits we expect to face. That means the amount of money we will spend beyond our projected revenue.

The blue line, as shown on the chart, is what we call the BEA baseline. What that means is that is current law. If we do not change any law and do not do

anything in Congress and do not put any more increased spending into place, what would our deficits look like? We can see there is a big spike here, in about 2009 and 2010, and then it drops off dramatically. Under current law, it tails down rather dramatically over the next 10 years.

Now, one of the reasons it goes down so dramatically over the next 10 years is that we have a number of tax cuts that were passed in the 2001 and 2003 timeframe that are going to expire, which means if we do nothing, taxes are going to go up dramatically, and we are going to see the deficit drop dramatically because everybody is going to be paying a lot more taxes. If we allow those tax cuts to stay in place—and I believe we are starting to get some consensus that we do that—then this line for what current law would be with those tax cuts staying in place would be somewhere between the red line and the blue line.

The point I wish to make, though, is the red line is the proposed budget we are now dealing with. As my colleagues can see, the spending in excess of revenue is dramatically higher than current law under the proposed budget.

There is another point that needs to be made, and I think this point shows it as well as anything. The President has said his goal is to reduce the deficit by half in the next 4 to 5 years, but as my colleagues can see by the chart, that will happen anyway under current law.

Now, why will that happen anyway under current law? That will happen anyway under current law because this spike we are looking at is the result of the phenomenal spending spree that Congress has been on since last fall. Actually, even going into the spring of last year, you may recall that Congress, to stimulate the economy, passed a $158 billion bill, I think it was, for rebate checks, to send rebate checks out to Americans so they could stimulate the economy. Well, we have seen that those checks didn't actually stimulate the economy, but it did add $158 billion to our spending.

Then we had the $700 billion TARP bill, $350 billion under President Bush and $350 billion under President Obama. We had the $800 billion stimulus package, much of which we will be spending out in this timeframe. We have had the auto bailout, and actually part of it—most of it, so far—has come from the TARP dollars. But we are seeing a spending spree by Congress which is driving these deficits up dramatically over the next 2 years.

But assuming—and this is an important assumption—assuming Congress does not continue this pattern of bailouts and Congress does not continue this pattern of $800 billion stimulus spending bills, then we should see this spending rate of Congress drop back down. So assuming Congress doesn't continue this rampant spending spree it is on, the deficit will return itself to half without any real effort and, in fact, without any real cuts in spending.

The last thing this chart shows that is very notable is, in the outyears—again, current law starts seeing us get our deficit under control, but the proposed budget starts us growing this deficit and leaves it at a permanent level around $600 billion. We are dealing with a proposed budget that leaves America with a proposed ongoing and growing deficit for the indefinite future of about $600 billion. That is not good enough. We need to be following a line on our deficit that brings us toward balance, and we can't do that. We can't achieve that.

One last point: We had Secretary Geithner before our Budget Committee last week to talk about this budget. In his comments, Secretary Geithner acknowledged that the tax increases that are being proposed—the ones I had on the previous chart—are going to actually harm our economy in our effort to build back right now. He acknowledged the point that this is the wrong time to be increasing taxes and that taxes at this time would have a chilling effect on our ability to restimulate our economic activity. But he defended these tax increase proposals by saying that they are not projected to take place until the year 2011, at which point the economy is supposed to be back in good shape. Therefore, we can let the economy get healthy again, and then we can hit it with some tax increases and then it will be OK.

Well, first of all, I don't believe it is necessarily going to be OK to hit the economy as it is starting to stabilize again in 2011, even if it is starting to stabilize at that point. But there is no consensus that we will be out of this difficulty by that time. So I asked Secretary Geithner: If the economy is not strong by 2011, will you still push for these tax cuts—increases—or are these tax increases contingent on a strong economy? In other words, if we don't have the strength you are projecting we will have, will you still propose the tax increases? He ducked the question.

I think the reason he ducked the question is because the answer was, yes; the taxes are going to go up regardless of what happens with the economy, and we are just hoping and projecting that we are not going to have any problem there because we think the economy is going to be fine in 2011.

Well, I certainly hope the economy is fine in 2011, and I don't think that will be a good time to hit it with a huge tax burden again anyway, but it is clearly wrong to put into place a path toward tax increases when we don't know whether the economy is going to remain strong.

Let's put up the last chart. The last chart just shows the debt we are growing. The chart before was deficits. The debt is the accumulation of all of our deficits over time. You will see right in here and around the 2009 timeframe, we were at around $6 trillion—actually, it was growing up into the $7 trillion and $8 trillion level, and Congress is starting a spending spike that is starting to drive up our national debt. It is hard to get a handle on our national debt right now, but it is between $10 trillion and $11 trillion. It is projected that our national debt—excuse me, the debt held by the public, and there are different pieces of the debt—but the debt held by the public—that is the debt we talk about when we talk about China and Japan and other nations buying our bonds and pension plans and so forth. The debt held by the public under this proposed budget will double in 5 years and triple in 10 years. That is remarkable and it is scary that we could have a budget that proposes a wall of debt like this and does not put into place any kind of spending restraint proposals but adds increased taxes, which will make it harder for our economy to keep up with this spending level, and proposes no effort to address the entitlement growth that is probably the biggest driver of spending in the Federal budget.

I guess I should clarify that—the biggest driver except when Congress gets engaged in stimulus packages and bailouts, at which point Congress becomes the biggest driver. But assuming we can stop the tendency in Congress to spend as rapidly as we have been doing over the last 6 months, then we must turn our attention to the entitlement programs and begin to find a way to find savings in them.

So I will conclude with this: Many have said on this floor that this budget spends too much, taxes too much, and results in too much debt. It couldn't be said more succinctly or better. This budget jeopardizes the economic strength of our Nation. It taxes far too much, it spends far too much, and it leaves us with a legacy of debt that our children and our grandchildren will face to their detriment.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Madam President, I have been listening to Senator CRAPO's remarks, and I think he has made some excellent points. The Senator is pointing out the long-term consequences of this incredible spending proposal that has been put before us on top of two incredible spending proposals that we have passed in the last month in this Congress. So I do hope the people of America start looking at the long-term effects of this spending increase at a time when our economy is seriously in jeopardy. I hope we can stop it at the budget and start showing the American people that we know everyone is concerned about their future. Everyone is concerned about their jobs, their retirement. We need to act accordingly in Congress; and that is, to spend taxpayer dollars wisely and not continue to borrow as we have been just in the last 2 months. It is going to be a spiral that I don't know how we overcome. So we have to start overcoming it right now, and that is with the budget proposal that has been put before us.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

COBURN AMENDMENTS

Mr. CHAMBLISS. Madam President, I rise to speak in support of the three amendments filed by Senator COBURN that we are going to be voting on shortly to the omnibus lands package.

With this country in the dire economic straits we are in, with the housing market crumbling, and with all of the major issues we have on our plate, I am not sure I understand why we are here dealing with a lands package today but, more importantly, why we are dealing with this lands package.

This omnibus lands package is truly antistimulus because it will erect new barriers to energy exploration and squander billions of taxpayer dollars on low-priority, parochial programs and frivolous earmarks.

The bill is another direct challenge from Congress to President Obama's pledge to clean up the earmark process. Last week, the President pledged to eliminate earmarks that didn't serve a legitimate purpose. He also said that each earmark must be scrutinized at public hearings. None of the individual earmarks in this bill were subject to public hearings, nor would many Americans describe earmarks such as a $3.5 million birthday bash for St. Augustine, FL, a legitimate public purpose.

The omnibus lands bill should be subject to a full and open amendment process. For months, the leader on the other side has argued that the bill is ''noncontroversial'' and should pass by a voice vote, with no amendments and no recorded rollcall votes. Yet, last week, 144 Members of the House of Representatives voted against the bill because it does need major revision. More than 100 organizations, ranging from the U.S. Chamber of Commerce to the National Wildlife Refuge Association, have expressed their opposition to this package.

The bill blocks the development of both renewable and oil and gas energy resources—one of the critical issues we are still facing in this country even with the price of a barrel of oil down and the price of a cubic foot of natural gas down. But they are not going to stay down. One bill in the package locks up at least 8.8 trillion cubic feet of natural gas and more than 300 million barrels of oil in a single field, which is equal to nearly twice as much natural gas as all Americans use in a year. All of that will be off limits at a time when we are seeking to take advantage of our natural resources in this country. The bill includes 92 National Wild and Scenic Rivers designations, covering over 1,100 miles that will prohibit any pipeline or transmission crossing. In 19 cases, the bill permanently withdraws Federal lands from future mineral and geothermal leasing.

Since the Senate last considered the lands bill, Secretary Salazar has withdrawn major energy leases in both Utah and Wyoming that were the subject of a coordinated lawsuit brought by extreme anti-energy groups.

The three amendments we are going to be voting on do three basic things to try to improve this package. First, amendment No. 679 strikes provisions that restrict the development of renewable energy on public lands, including but not limited to geothermal, wind, solar, biomass, and related transmission infrastructure. Amendment No. 680 bars new construction until all current sites are certified by the Secretary as fully operational, ensuring full access by the public and posing no health or safety threat. The National Park Service is currently facing a $10 billion maintenance backlog. Yet we are going to be adding to their inventory. The third amendment prohibits the use of eminent domain for any provision authorized in the bill.

These are basic, commonsense amendments that ought to be supported by everybody here. If we are going to have this lands package debated and voted on—and, again, I am not clear as to exactly why we are dealing with this in the middle of our other crises—certainly we ought to make commonsense amendments applicable to basic provisions in this huge package that is going to be the most major acquisition of lands by the Federal Government, which is already the largest landowner in our country over the last two decades.

With that, I urge adoption of the Coburn amendments on which we are getting ready to vote.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF RON KIRK TO BE UNITED STATES TRADE REPRESENTATIVE—Continued

Mr. CARDIN. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Ronald Kirk, of Texas, to be the United States Trade Representative?

Mr. BINGAMAN. 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.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from Illinois (Mr. DURBIN) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 5, as follows:

[Rollcall Vote No. 100 Ex.]

YEAS—92

Akaka	Feingold	Merkley
Alexander	Feinstein	Mikulski
Barrasso	Gillibrand	Murkowski
Baucus	Graham	Murray
Bayh	Grassley	Nelson (FL)
Begich	Gregg	Nelson (NE)
Bennet	Hagan	Pryor
Bennett	Harkin	Reed
Bingaman	Hatch	Reid
Boxer	Hutchison	Risch
Brown	Inhofe	Roberts
Brownback	Inouye	Rockefeller
Burr	Johanns	Schumer
Burris	Johnson	Sessions
Cantwell	Kaufman	Shaheen
Cardin	Kerry	Shelby
Carper	Klobuchar	Snowe
Casey	Kohl	Specter
Chambliss	Kyl	Stabenow
Coburn	Landrieu	Tester
Cochran	Lautenberg	Thune
Collins	Leahy	Udall (CO)
Conrad	Levin	Udall (NM)
Corker	Lieberman	Vitter
Cornyn	Lincoln	Voinovich
Crapo	Lugar	Warner
DeMint	Martinez	Webb
Dodd	McCain	Whitehouse
Dorgan	McCaskill	Wicker
Ensign	McConnell	Wyden
Enzi	Menendez	

NAYS—5

Bond	Byrd	Sanders
Bunning	Isakson	

NOT VOTING—2

Durbin	Kennedy

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

Mr. DURBIN. Mr. President, on vote No. 100, I was unavoidably detained. Had I been present for the vote, I would have voted to confirm the nomination of Ronald Kirk to be U.S. trade representative.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

REVOLUTIONARY WAR AND WAR OF 1812 BATTLEFIELD PROTECTION ACT—Continued

AMENDMENT NO. 680

The PRESIDING OFFICER. Under the previous order, there will now be 4 minutes of debate equally divided prior to a vote in relation to amendment No. 680 offered by the Senator from Oklahoma, Mr. COBURN.

Who yields time?

Mr. COBURN. Mr. President, the amendment we are going to be voting on next is amendment No. 680. If my colleagues have not read the GAO report on the Department of Interior released this month, they should as they consider this.

The national parks have—according to the national parks—a $9 billion backlog. According to the GAO, it is

somewhere between $13 billion and $19 billion. This amendment is not intended to do anything except cause us to order a priority that we will take care of what we have now before we spend new money on new parks and new areas under the Department of the Interior. It is simple. It is straightforward. There is nothing underhanded about it.

The fact is, we cannot continue adding things when we are not taking care of the Statute of Liberty, the National Mall, and many of our national parks that are falling down and are a threat to health and safety of the visitors and the employees who work there.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I will take the first minute, and my colleague from Alaska will take the second minute.

This amendment would prohibit the National Park Service from beginning any new construction in national parks until the Secretary of the Interior can certify that the backlog of maintenance in all structures, trails, sites and transportation infrastructure has all been accomplished. I would argue he or she will never be able to certify that; therefore, we could not have new construction in our national parks. This would apply to funds we have already appropriated, including those in this American Recovery and Reinvestment Act that we voted on a couple of weeks ago.

I urge my colleagues to oppose the amendment, and at the appropriate time I will move to table the amendment.

I yield the remainder of the time to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Ms. MURKOWSKI. In addition to what the chairman of the Energy Committee has stated, we may be in a situation where you have a newly acquired national park or national historic facility and this amendment would prevent the Director of the Park Service from even putting in new facilities until the maintenance backlog is completed in older existing park units. It could also force the agency to expend funds on facilities they no longer need, such as trails or buildings that the agency would like to remove.

I think this is a well-intended amendment, but I believe it misses the mark by placing restrictions that could hamstring the National Park Service's effort to provide high-quality recreational opportunities, and I urge opposition.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, this does not limit the ability of the National Park Service to consider something they do not want to repair. In fact, there is an exact exemption in this amendment for that.

We are going to do the same thing. We are not going to take care of what we have and we are going to spend money on new things and we are going to put the employees and the people of this country at risk. Let's take care of what we have. Let's agree to this amendment.

I yield the remainder of my time and ask for the yeas and nays.

Mr. BINGAMAN. Mr. President, I move to table the amendment and ask for the yeas and nays on the motion to table.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion. 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.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 19, as follows:

[Rollcall Vote No. 101 Leg.]

YEAS—79

Akaka	Feingold	Murkowski
Alexander	Feinstein	Murray
Barrasso	Gillibrand	Nelson (FL)
Baucus	Gregg	Nelson (NE)
Bayh	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Hutchison	Reid
Bennett	Inouye	Risch
Bingaman	Johanns	Roberts
Bond	Johnson	Rockefeller
Boxer	Kaufman	Sanders
Brown	Kerry	Schumer
Brownback	Klobuchar	Sessions
Burris	Kohl	Shaheen
Byrd	Kyl	Snowe
Cantwell	Landrieu	Specter
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Cochran	Lieberman	Udall (NM)
Collins	Lincoln	Voinovich
Conrad	Lugar	Warner
Crapo	Martinez	Webb
Dodd	McCaskill	Whitehouse
Dorgan	Menendez	Wyden
Durbin	Merkley	
Enzi	Mikulski	

NAYS—19

Bunning	Ensign	McConnell
Burr	Graham	Shelby
Chambliss	Grassley	Thune
Coburn	Hatch	Vitter
Corker	Inhofe	Wicker
Cornyn	Isakson	
DeMint	McCain	

NOT VOTING—1

Kennedy

The motion was agreed to.

Mr. BINGAMAN. Mr. President, I move to reconsider the vote, and I move to table that motion.

The motion to table was agreed to.

AMENDMENT NO. 679

The PRESIDING OFFICER. Under the previous order, there will now be 4 minutes of debate, equally divided, on amendment No. 679 offered by the Senator from Oklahoma, Mr. COBURN.

Mr. COBURN. Mr. President, this is another amendment, the whole purpose of which is to think forward not think short term. What we are going to do in this collage of 170 bills is restrict, significantly restrict, the availability of geothermal, solar, wind, and biomass energy.

We are doing that because we are going to limit the places where we can get that. Ninety percent of the geothermal capability in this country lies on Federal lands. What we are doing in this bill is not thinking about what we are going to do on transmission lines, not thinking how we are going to bring solar, wind, and geothermal, as well as biomass, to the population centers of this country.

Yesterday, the Secretary of the Interior outlined, in his testimony before the committee, the importance of getting transmission lines and grids right in anticipation of having this access for renewable energy that is clean and without a significant carbon footprint.

All this amendment does is say we are not going to allow it to prohibit our utilization of geothermal, our utilization of solar, and our utilization of wind by what we are doing in the bill.

So everything else stays the same, but we are not going to handicap ourselves and handcuff ourselves by eliminating the ability to gather these energy sources off these lands.

I reserve the remainder of my time.

Mr. BINGAMAN. Mr. President, I oppose this amendment as well. This would open the wilderness areas, the parks, and the wild and scenic rivers that are designated in the bill to potential development of new energy projects, renewable energy projects, as well as the associated facilities that go with those such as transmission lines, generating stations, access roads.

There are 2 million acres of new wilderness area here. We do not want wind farms in those wilderness areas. There are over 1,000 miles of wild and scenic rivers. We do not want hydroelectric powerplants on those wild and scenic rivers. I think this would be a major mistake for us to make an exception and say that renewable energy sources should go in regardless of the designation in the bill.

I yield the balance of my time to the Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I make a point that is worth mentioning that Senators may have forgotten. The 1964 Wilderness Act includes a provision that allows the President may declare an emergency and allow ''water resources, reservoirs, water construction work, power plants, transmission lines and other facilities needed in the public interest, including road construction and maintenance essential to develop and use thereof.''

So, therefore, other than a handful of declared wilderness areas in Colorado and Nevada, this protection is included in the law establishing every wilderness, including those in this bill. Therefore, I do not think there is a reason we need the amendment of the Senator from Oklahoma.

Mr. COBURN. Mr. President, what we are doing in this country is we are shutting off oil and gas energy that we

are going to need for the next 20 years. Now we are going to handicap the renewable, clean energy that is in the bill.

I disagree that the President has the ability only under an extreme national emergency. Well, we have an emergency right now and nobody is doing that. What we ought to do is make sure we do not limit further energy potential for this country. We are going to see petroleum prices rise. We are going to see energy costs double in the future.

This will eliminate some of that.

I yield back the time.

Mr. BINGAMAN. Mr. President, I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

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.

The PRESIDING OFFICER (Mr. MERKLEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 65, nays 33, as follows:

[Rollcall Vote No. 102 Leg.]

YEAS—65

Akaka	Feingold	Mikulski
Alexander	Feinstein	Murkowski
Baucus	Gillibrand	Murray
Bayh	Hagan	Nelson (FL)
Begich	Harkin	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson	Reid
Boxer	Kaufman	Rockefeller
Brown	Kerry	Sanders
Burris	Klobuchar	Schumer
Byrd	Kohl	Shaheen
Cantwell	Kyl	Snowe
Cardin	Landrieu	Stabenow
Carper	Lautenberg	Tester
Casey	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Conrad	Lieberman	Voinovich
Corker	Lincoln	Warner
Crapo	Martinez	Webb
Dodd	McCaskill	Whitehouse
Dorgan	Menendez	Wyden
Durbin	Merkley	

NAYS—33

Barrasso	Ensign	McCain
Bennett	Enzi	McConnell
Bond	Graham	Nelson (NE)
Brownback	Grassley	Risch
Bunning	Gregg	Roberts
Burr	Hatch	Sessions
Chambliss	Hutchison	Shelby
Coburn	Inhofe	Specter
Cochran	Isakson	Thune
Cornyn	Johanns	Vitter
DeMint	Lugar	Wicker

NOT VOTING—1

Kennedy

The motion was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. BINGAMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Republican leader.

SENATOR LUGAR CASTS VOTE NO. 12,000

Mr. MCCONNELL. Mr. President, the majority leader and I would like to make a few brief comments before this last vote in the tranche of votes we are having at the moment.

It is customary in the Senate to acknowledge one's colleagues on the occasion of a major legislative milestone, and so today we honor the senior Senator from Indiana on the occasion of his 12,000th vote. In our Nation's history, only 12 individuals have cast more votes in this body than Senator LUGAR, and this is well worth noting.

But it is a special pleasure to recognize someone who has always been so reluctant to speak about himself. Few Americans have more to brag about than Senator RICHARD LUGAR. Yet I know of no one who is less likely to do so. So it is an honor for me to take a moment to brag about my colleague, my neighbor, and my friend.

As a measure of Senator LUGAR's reputation for bipartisanship, historians will note that when our current President launched his Presidential campaign at the Illinois statehouse 2 years ago, he mentioned just one politician by name: RICHARD LUGAR. No one in the Senate commands more bipartisan respect.

As a measure of Senator LUGAR's reputation as a foreign policy expert, ask any television news producer for the first Senator they would think to look to to discuss an important international story. They would, of course, tell you: RICHARD LUGAR.

As a measure of Senator LUGAR's effectiveness as a lawmaker, just take a look at the results from his last election. During a year in which Democrats made significant gains in both the House and the Senate, Senator LUGAR won 87 percent of the vote—a victory so convincing that the State chairman of the Democratic Party in Indiana made the following statement: ''Let's be honest,'' he said, ''Richard Lugar is beloved not only by Republicans, but by Independents and Democrats.''

Never has anyone provided his or her political opponent with a better script for a campaign ad than that—particularly since the comment had the added virtue of being absolutely true.

As a measure of my own personal esteem for Senator LUGAR, I would note that I have 12 framed photographs in my office in the Capitol marking various points in my own career, dating back to my days as a college Republican. One of those photographs is a picture of a young Senator LUGAR helping me in my first Senate campaign. Whenever I see it, I am reminded of what a public servant should be.

Senator LUGAR's life has been one of high achievement: high school valedictorian, a straight-A college student, Eagle Scout, Rhodes Scholar, big-city mayor at the age of 35, U.S. Senator. He has been a counselor to Presidents and one of the most widely respected voices on foreign relations within the Senate for decades. Before he finishes out his current term, he will have served almost twice as long as any Indiana Senator before him—a milestone he has approached with characteristic humility.

In a long Senate career, perhaps none of Senator LUGAR's achievements has been more far reaching as the Nunn-Lugar Cooperation Threat Reduction Program, which has led to the dismantling of thousands of nuclear warheads and contributed immeasurably to the promotion of peace. For this achievement in particular, he has been considered for a Nobel Peace Prize.

But ask Senator LUGAR and he will probably tell you his greatest achievement was his marriage to Charlene. Senator LUGAR was recently asked about the demands of his work. Here is what he had to say:

> I've been especially fortunate that my wife, Charlene, has shared my enthusiasm. It would not have been remotely possible if that had not been the case.

Senator LUGAR and Char have been married for more than 50 years. They are proud of their four sons and their 13 grandchildren, and they can be proud of the teamwork that has produced a brilliant career, carried out in the best traditions of the Senate and of our country.

Senator LUGAR, you are a treasure to the Senate and a model for anyone who wishes to pursue a career in public service.

It is an honor and a privilege for me to recognize my esteemed colleague on this latest of so many accomplishments in a truly distinguished Senate career.

(Applause, Senators rising.)

Mr. BYRD. Hear, hear.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I hesitate to jump in front of my friend from Indiana, but I feel I want to say, as I should, a few things about Senator LUGAR.

He is not only the most senior Republican currently serving in the Senate, he also will have served twice as long as any other Senator in the history of the State of Indiana, as mentioned by my colleague, Senator MCCONNELL.

Born in Indianapolis, he spent much of his boyhood focusing on things—as he is able to do—such as on becoming an Eagle Scout, and he did become an Eagle Scout.

He graduated first in his class—not just at Shortridge High School but also at Denison University. This is where he met Charlene, his wife.

RICHARD LUGAR is clearly one of the most intellectually sound Members of the Senate. After college, he earned a Rhodes Scholarship to study at Oxford University, where he received honors in various programs. He received honors degrees in politics, philosophy, and economics and was a member of Phi Beta Kappa. He has also earned honorary degrees from 41 universities and colleges—41.

When RICHARD LUGAR returned from Oxford, he and Charlene were married.

But just a few months later, Richard began his 3 years of volunteer service in the U.S. Navy, where he was ultimately assigned as intelligence briefer for ADM Arleigh Burke, the Chief of Naval Operations.

Back home in Indiana, after the Navy, RICHARD went into business with his brother, running a food machinery manufacturing company, before winning a seat on the school board, and then serving two terms as mayor of Indianapolis.

In the Senate, RICHARD LUGAR has been a national leader on the environment, foreign policy, and let's not forget agriculture.

He worked closely with then-Senator Obama on the Foreign Affairs Committee on the complex challenge of loose nukes.

He currently serves as ranking Republican and former chairman of the Foreign Relations Committee and as a member and former chairman of the Agriculture Committee.

Charlene and RICHARD have four sons: Mark, Robert, John, and David, and 14 grandchildren.

So, Senator LUGAR, congratulations in casting your 12,000th vote as a U.S. Senator. This milestone is the latest in a career filled with remarkable accomplishments.

(Applause, Senators rising.)

Mr. BYRD. Hear, hear.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. LUGAR. Mr. President, I thank my very dear friends, MITCH MCCONNELL and HARRY REID, for overly generous comments, which give me great encouragement and inspiration.

I appreciate so much the Senate taking time for a moment in my life I will always cherish. I thank you for recognizing the importance of my sweetheart, Charlene, and our children and our grandchildren. They are the precious inspiration for me, as it is for each one of us who serves in this way and who enjoys and loves the Senate as I do.

I thank all of you so very much.

(Applause, Senators rising.)

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, this will be the last vote in the series of votes of amendments offered by Senator COBURN. There are three other amendments Senator COBURN has laid down, two of which we will have to vote on. On one I think there is agreement on this side it should be accepted, and Senator COBURN has acknowledged we would not need a vote on that. We are going to have those two votes. We are working on the appropriate time.

Senator COBURN has one more amendment on which he needs to speak. He has already spoken on the others I have mentioned.

I tell all Senators, we will likely do these votes when we first come in in the morning rather than this afternoon. There are a number of hearings and other things going on this afternoon. I think that would be to everyone's advantage.

We are also working on a number of nominations we are trying to complete. We hope we can get those done tomorrow. I do not see any reason to do the votes tonight. We will do them in the morning, at a very early time in the morning.

AMENDMENT NO. 675

The PRESIDING OFFICER. Under the previous order, there will now be 4 minutes of debate equally divided on amendment No. 675, offered by the Senator from Oklahoma, Mr. COBURN.

The Senator from Oklahoma.

Mr. COBURN. Mr. President, I yield a minute to the minority whip.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I would ask for my colleagues' attention for just a moment.

This is a very good amendment. The staff has informed me all the land acquisition under this bill has been accomplished through the cooperation of all parties—willing sellers, willing buyers—and there is no need for condemnation of any property, no need for eminent domain.

Believing that to be true, my colleague has simply said, therefore, there will be no eminent domain used to purchase land under this bill; in other words, no acquisitions contrary to the wishes of the landowner.

Believing the staff is correct, and, therefore, that it is not necessary, it seems to me it establishes a good principle to say that where there is no need for it, we should not authorize eminent domain to acquire land against a landowner's wishes.

Therefore, I urge my colleagues to vote in support of this amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, first, it is important to understand there are no provisions in the bill granting the Federal Government eminent domain authority. That authority already exists. It has existed for many years. The Supreme Court first recognized it in 1876 and acknowledged that the Government had that authority.

What I believe is important is that there are water projects in this bill which are very important—the San Joaquin project in California, various water projects throughout the West—and it is important the Bureau of Reclamation have authority, if it needs to use it, to proceed with eminent domain proceedings.

My colleague from Arizona, I am sure, takes great pride in the Central Arizona project. It is very doubtful that project could have been accomplished had not the Federal Government had eminent domain authority. That is true of these water projects in this legislation as well.

So we should not be writing provisions in here that take that tool away from our Federal land managers and particularly the Bureau of Reclamation, and that is exactly what the effect of this amendment would be.

So I urge my colleagues to oppose the amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, there is eminent domain, and then there is the threat of eminent domain. The threat of eminent domain is as powerful as eminent domain in itself because we cause people who have pure and sincere and guaranteed rights to their property to give up their property.

The fact is, this bill relates to all sorts of statutes that utilize eminent domain. If, in fact, we do not intend to utilize eminent domain, why won't we say it? We will not say it because we want to use the power of having that to intimidate property owners in this country and landowners.

This is about protecting one of the most important principles of our country: the right to have and hold property. This is an issue under which we either accept the rights of individuals to hold property or we say the Government knows better. Even though we are saying we are not going to use it, we are going to use it to intimidate landowners.

I would appreciate your vote.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

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.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 63, nays 35, as follows:

[Rollcall Vote No. 103 Leg.]

YEAS—63

Akaka	Feinstein	Mikulski
Alexander	Gillibrand	Murkowski
Baucus	Gregg	Murray
Bayh	Hagan	Nelson (FL)
Bennet	Harkin	Pryor
Bingaman	Inouye	Reed
Boxer	Johnson	Reid
Brown	Kaufman	Rockefeller
Burris	Kerry	Sanders
Cantwell	Klobuchar	Schumer
Cardin	Kohl	Shaheen
Carper	Landrieu	Snowe
Casey	Lautenberg	Specter
Cochran	Leahy	Stabenow
Collins	Levin	Tester
Conrad	Lieberman	Udall (CO)
Crapo	Lincoln	Udall (NM)
Dodd	Martinez	Voinovich
Dorgan	McCaskill	Warner
Durbin	Menendez	Whitehouse
Feingold	Merkley	Wyden

NAYS—35

Barrasso	Bennett	Brownback
Begich	Bond	Bunning

Burr
Byrd
Chambliss
Coburn
Corker
Cornyn
DeMint
Ensign
Enzi
Graham
Grassley
Hatch
Hutchison
Inhofe
Isakson
Johanns
Kyl
Lugar
McCain
McConnell
Nelson (NE)
Risch
Roberts
Sessions
Shelby
Thune
Vitter
Webb
Wicker

NOT VOTING—1

Kennedy

The motion was agreed to.

Mr. DURBIN. Mr. President, 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.

Mr. DURBIN. Mr. President, I ask unanimous consent that after the Republican leader, Senator MCCONNELL, has an opportunity to be recognized and speak, that Senator CORKER be recognized at that point and that I then follow him with another unanimous consent recognition, and after that moment, Senator MCCASKILL be recognized to speak for 5 minutes, Senator MIKULSKI for 5 minutes, and Senator BURRIS for 5 minutes.

I wish to amend that UC request to include 10 minutes following Senator BURRIS for Senator SESSIONS and 10 minutes for Senator GRASSLEY.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Republican leader is recognized.

DEPOSITOR PROTECTION ACT OF 2009

Mr. MCCONNELL. Mr. President, I know how important it is to our banking system, and especially our community banks, that the Senate pass S. 541, the Depositor Protection Act of 2009.

This is a bipartisan bill, led by Senators DODD and CRAPO, that we increase the borrowing authority of the Federal Deposit Insurance Corporation, thereby freeing up capital for banks to lend to small businesses and people who need it.

The Depositor Protection Act is cosponsored by Senators across the political spectrum, including Senators SCHUMER, BROWN, AKAKA, BOND, GREGG, and CORKER, who is here on the floor with us. The fact that it has such diverse support underscores how important it is to our financial system. This is a bill we should pass without delay. Doing so would help our financial institutions, and thus our economy, during this economic downturn.

The bipartisan Dodd-Crapo bill should not be held hostage by efforts to attach much more controversial legislation on top of it. Specifically, I understand some of our Democratic colleagues want the Dodd-Crapo bill to pull to passage a controversial measure called cram-down, which would allow bankruptcy judges to basically rewrite mortgage contracts.

Politically and economically, cram-down is the opposite of the Dodd-Crapo bill because it has bipartisan opposition; it has bipartisan opposition because it would worsen our economic situation. For example, last year, 11 Senate Democrats, along with every single Republican in the Senate, voted against cram-down because its passage would worsen housing markets by raising interest rates for everyone in order to benefit a very few. This, in turn, would make it more difficult for everyone, especially those of modest means, to own a home. This is the wrong prescription at the wrong time for an ailing housing market. These concerns, of course, have not gone away. This year, some Senate Democrats have publicly reiterated their opposition to cram-down. There are no such concerns with the bipartisan Dodd-Crapo Depositor Protection Act of 2009. We could pass it right now, Mr. President, on a bipartisan basis and help our financial situation.

I hope our friends on the other side of the aisle will let us pass this important bill. They should not hold it up so they can chase something that is fraught with problems and, according to a Senate Democrat, isn't going anywhere anytime soon.

I thank in particular one of the most knowledgeable Members of the Senate, who is thoroughly conversant with these issues and has recommended this approach, and that is my friend and colleague from Tennessee, Senator CORKER, whom I see is on the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

UNANIMOUS CONSENT REQUEST—S. 541

Mr. CORKER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 541, a Dodd-Crapo bill, which would increase the borrowing authority of the FDIC, the Senate proceed to its immediate consideration, the bill be read the third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I am going to object to this unanimous consent request. The reason is that the provision that has been referred to by Senator MCCONNELL, the Republican leader, relative to the Bankruptcy Code is one that is in negotiation at this very moment.

When this measure was called before the Senate last year, there were some who ominously predicted we could be losing some 2 million homes to foreclosure in America. The most recent estimate of Goldman Sachs is that 13 million homes will be lost to mortgage foreclosure in the next 5 years.

The efforts underway to revise the bankruptcy law to provide for authority in that court in specialized circumstances is one to prevent and preclude these foreclosures from occurring. That is actively under consideration. It is included in the House bill that I will subsequently ask to be approved by unanimous consent, and it is one supported by the chairman of the Banking Committee, Senator DODD, as well as many others.

I would hate to see us lose an opportunity to deal with this looming foreclosure crisis by agreeing to this unanimous consent request. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Tennessee is recognized.

Mr. CORKER. I will yield to the Senator from Illinois.

UNANIMOUS CONSENT AGREEMENT—S. 541 AND H.R. 1106

Mr. DURBIN. Mr. President, I ask unanimous consent that the Banking Committee be discharged from further consideration of S. 541, the Depositor Protection Act, and that the Senate proceed to its immediate consideration; that an amendment at the desk, which contains the provisions of the House-passed bill, H.R. 1106, be agreed to; the bill, as amended, be read the third time and passed; and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee is recognized.

Mr. CORKER. I object to this, Mr. President. As was stated, we have a bipartisan solution that many banks across the country are clamoring for—the banking system is clamoring for. This bill I tried to call up would pass overwhelmingly in this body.

The Senator from Illinois—and I appreciate his persistence—has continued to pursue this cram-down bill, which meets with tremendous opposition in this body.

I just hate that what we are doing is in essence extorting community banks and extorting credit unions all across this country to provisions that everyone knows are very problematic.

I object, and I hope the Senator from Illinois will allow us, at some point soon, to take up this issue that is very important to credit unions, to community banks, to institutions across this country. As a result, it is very important to the men and women all across this country who are concerned about their jobs, concerned about credit. This is something we can do together to change the atmosphere of the banking community and change our country in the process. But it appears we are not going to have that opportunity today. I hope the Senator from Illinois will give us that opportunity in the near future.

The PRESIDING OFFICER. Objection is heard.

The Senator from Missouri is recognized.

Mrs. MCCASKILL. Mr. President, I ask unanimous consent to speak as in morning business.

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

GREED

Mrs. MCCASKILL. Mr. President, as we look around at the problems we are

facing in this country now when it comes to our economy, all of us are trying to figure out what caused this mess, what is the root cause of this incredible meltdown in the financial sector of our economy, in our housing sector. It comes back to one simple concept: greed. It is just about a bunch of really greedy people, brought to you by the current executive pay structure we have on Wall Street and in some parts of corporate America. It is the largest part of the problem.

These potential payouts under this corporate structure of pay we have right now are so large that executives at financial institutions, including institutions such as Fannie Mae and Freddie Mac that were supposed to have a public purpose, had incentives to create rules that would reward them no matter what happens. Why did all these exotic derivatives and swaps start happening? Pay. Pay. And greed. Performance, not so much. It didn't matter whether you failed, you got paid anyway. That is the culture that caused the problem. Failure and you walk with huge money.

These AIG bonuses are just one symptom of this very serious illness that is gripping our economy and harming our competitiveness. The Merrill Lynch bonuses, which I stood on the floor and railed about a few short weeks ago, were exhibit B. Those guys failed, and they made sure they got the money and walked with it before Bank of America took over. They moved up their bonuses. Retention? Not so much. It doesn't have much to do with that. These AIG bonuses—52 of the people had already walked out the door when they got the money. We weren't paying them to stay; they had already left.

Our competitive disadvantage in this regard is real. Two of the most productive competitors to our country, Germany and Japan—their trade surplus per capita is the highest. Do you know what their average corporate pay is? It is 10 or 11 times the average worker's. What is it in the United States of America? It is 400 times the average worker's.

We need to get back to our American values of hard work equals success, equals financial reward—not failure and you get paid anyway. It is most insulting on the American taxpayer's dime when it comes to Merrill Lynch and AIG.

There is a great column in the New York Times today by David Leonhardt. I recommend it to my colleagues. In that column, he makes the following statement, and I paraphrase: Stop the deference to this culture. Stop the deference to Wall Street. Treasury, can you hear me? Stop the deference to the culture of Wall Street. Be bold, stand up to them.

That deference has now created a cold anger of populism that is going to make it very politically difficult for us to do anything else to free up our credit markets that are so essential for our economy to survive.

America's economy has a hangover from the drunken greed of high pay and bonuses for failure. Sober up. Sober up, folks, because the American people are paying too high a price.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I ask unanimous consent to speak as in morning business.

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

AIG BONUSES

Ms. MIKULSKI. Mr. President, AIG is in the news. If you want to know what I think AIG stands for, it is ''Ain't I Greedy.'' If there were ever a company that stands for ''ain't I greedy,'' it is certainly AIG.

In the midst of one of the greatest economic turmoils to hit our country, we have a corporation that received $170 billion in taxpayer money to keep them afloat, and now they want to pay themselves $165 million in bonuses. Ain't I greedy?

You better believe they are greedy. The very people who helped bring the financial services and structure of the world economy to the brink of disaster now want to give themselves bonuses. That is like saying to the crew on the Titanic, after they hit the iceberg: We are going to give you a bonus for navigation.

What is this? I want people to know that I am mad as hell and, like the taxpayers, I don't want to take it anymore. We need to do something about this.

Right now, we see that over at that corporation, and others that are doing these self-enrichment bonuses, they are the very people who brought us near financial bankruptcy, and they are now demonstrating moral bankruptcy. They nearly bankrupted their companies, but they come with bankrupt values and a bankrupt approach to trying to help America out of this situation. If we want bankruptcy modification, let's throw those bums out. Let's make them wear a scarlet B. I am ready to put them in a stockade in Rockefeller Center so all the people who are losing their homes, losing their jobs, losing their health care can come and take a look at them.

You think I am frustrated? I am nowhere near frustrated compared to what my constituents are facing. They are very worried about their future. Senior citizens who saved all their lives and fought in great wars to protect America now have no one to protect their life savings as Wall Street sinks. People who played by the rules and are raising their families and trying to run a small business cannot have access to credit because these guys were busy being celebrity CEOs, celebrity chefs with celebrity wives, and now they want a celebrity bonus. You better believe they are celebrities. Everybody knows who they are.

Also, what so infuriates the people of Maryland and, I believe, this country and we in Congress is there is no remorse about what they did. In a 12-step program, when you have been an addict—and they certainly were addicted to greed and they certainly were compulsive about failure—usually you say: I am sorry, I did wrong. I promise never to do it anymore, and I want to make amends by making it right.

Not these guys. They want more money to do the same. What is it they say to us? My way or the highway. We need to pay bonuses to get people to stay. Why would we want them to stay? They got us into this mess. They show no remorse, and I don't see a lot of competency in getting us out of it.

We need to use the power of our ownership. We own 80 percent of AIG. You know what I think an 80-percent owner ought to do? Goodbye to the people who either do not know how to work to get us out of this mess or are unwilling to help us get out of this mess unless they get a bonus.

Second, I think for those who took these bonuses, we are saying: Don't take the money or, if you have, give it back.

I signed a letter with other colleagues to Mr. Liddy, the CEO, saying: Don't give them the bonuses, and if they got any, to give it back. But if they will not do it, I am saying loudly and clearly that I will support the initiative to tax them at 90 percent of the money they got.

My belief is: You can take it, but we are not going to let you keep it. You can take it, but we are not going to let you keep it. We are going to tax you at 90 percent. If we are 80 percent owners, then we are going to exercise our influence.

I believe we need to show not only the taxpayers that we are serious about being stewards of their money, but we have to show corporate America they have to get serious about working with the Obama administration and us to get this economy back on track. Then we need to change not only the culture but help change the direction of our economy.

I wish to see change in this country. That is what the voters voted for. Let's start right now, today, by ending this culture of corruption, greed, and self-enrichment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. BURRIS. Mr. President, I ask unanimous consent to speak as in morning business.

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

AIG BONUSES

Mr. BURRIS. Mr. President, I rise to express my outrage that at a time of economic crisis in our Nation and around the world, at a time when so many Americans are losing jobs, defaulting on homes, and falling behind in their own payments, they are paying into a system doling out multimillion-dollar bonuses to employees at AIG.

Many of the same employees receiving these lavish payouts are the same

ones who brought their company to the edge of collapse and the economy into the depths of recession.

We cannot let their actions be rewarded—excessively rewarded—with the multimillion-dollar bonuses paid by the taxpayers.

Time and again, we have gone back to our constituents and asked them to sacrifice to make ends meet. Now we demand the corporate executives do the same.

As American families struggle to balance their own checkbooks at kitchen tables all across America, the employees of AIG walk out of their offices with $165 million in bonuses so far and are on track to take home an estimated $450 million by the end of this year—free money that they did not earn and certainly do not deserve.

It is now time for those executives who, through their reckless greed and irresponsible actions, have jeopardized our economic security to share the burden in rebuilding this economy. If this company and others like it fail to recognize the outrage and the frivolous nature of these taxpayer-funded bonuses, Congress will intervene and act on their behalf.

Yesterday, I joined my Democratic colleagues in sending a letter to the CEO of AIG, Edward Liddy. We asked that Mr. Liddy take a reasonable look at these excessive bonuses and requested that he act to renegotiate them.

We also warned that if he chooses not to act immediately, we will take action to recoup the American taxpayers' money through punitive legislation.

Chairman BAUCUS has signaled he is poised to move forward with legislation that he and Senators GRASSLEY, WYDEN, and SNOWE are drafting to allow the Government to recoup this money for taxpayers by subjecting the bonuses to severe tax penalties.

At the same time we are correcting the payouts of the past, we have been working with the current administration to put in place new standards of accountability for the future.

As part of the American Recovery and Reinvestment Act we passed last month, we asked the Treasury Department to establish new guidelines regarding executive pay and luxuries. Just last week, we reiterated the urgency in a second letter to the Treasury Department asking that they swiftly complete this project and announce these new standards.

In addition to these steps, let us resolve to work in partnership with the Obama administration and the Senate Banking Committee to take up a strong Wall Street accountability bill as soon as possible.

Our responsibilities lie with the citizens we represent. If we are successful in taming the greed of Wall Street, we will have gone a long way to safeguarding the economic interests of those we represent and those for whom we work—the people of the United States of America.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BURRIS). Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. GRASSLEY. Mr. President, I think our colleagues know that the issue of health care reform is hopefully on a fast track in the sense of getting something done this year. This is a very big project to get underway. Senator BAUCUS and I have laid out an ambitious schedule for enacting a bipartisan health reform bill, and I think there are a lot of facets of it that we have to expect people who are not on the committees—Senator KENNEDY's committee on the one hand and Senator BAUCUS's committee on the other hand—will have to take into consideration. I am asking, through a series of speeches I will give this spring, for people who perhaps don't think about the issue of health care reform because they do not serve on the committees to think of various things.

Today, I wish to address an issue we often read about in newspaper accounts—and the most recent one comes from a Wall Street Journal article I had a chance to read—that comes up as a reminder when people think about health care reform that we ought to take into consideration. I often refer to Canada, I suppose because a lot of Americans are familiar with the health care system in Canada, and we have a lot of our constituents who ask us why we don't put in place what they have in Canada. We refer to that system as single payer. We often run into people who say: Well, don't do what they are doing in Canada. I think a lot of our colleagues here would support single payer. So obviously, when these things are discussed in America at the grass roots level, I think we ought to be constantly reminded of this here as we debate health care reform, and a lot of our colleagues need to be thinking about this a long time before legislation comes to the floor.

We have a lot of work ahead of us if we want to see meaningful legislation that will accomplish our three main goals of health care reform: lower cost, expanded coverage, and better quality.

Let me say that again: Lower cost, expanded coverage, and better quality.

As we roll up our sleeves, it is helpful to look to our neighbor to the north, Canada, for some lessons about what works and what does not work. Some of the proposals that are being discussed—the public plan option, rationing of care, and a Federal health board—will make our current market-based health care system that we have in the United States more similar to the Canadian health care system. Some like that. Some do not like it. My purpose is to be raising questions that our colleagues ought to be considering.

The Canadian health care system might seem like a good idea to some of my colleagues, but this should make anyone who values access to care and the doctor-patient relationship very nervous. Canadian patients often wait months or even years for necessary care. It has become so bad that some patients are suing the Government in Canada to gain access to care. One Ontario man suffering from headaches and seizures was told he would have to wait 4½ months for an MRI. Instead of standing in line, he did what a lot of Canadians do. He traveled across the border to Buffalo for an MRI. It was there he discovered he had a malignant brain tumor. When he returned to Canada, he was told again it would be months before he could have surgery, so once again he traveled to Buffalo, for surgery. Another Canadian man waited in pain for a year before he could see a doctor about his arthritic hip. Once he finally saw the right specialist he was told that he would need a state-of-the-art procedure to resurface his hip, but sadly the Canadian Government told the 57-year-old gentleman he was ''too old'' to get the procedure. He was also prohibited from paying for the surgery with his own money. Similar to so many other Canadian patients, he is taking his case to court.

These court cases gained traction in 2005, when the Canadian supreme court ruled that patients suffer physically and psychologically while waiting for treatment in Canada's Government-run system. The court also concluded that the Government's controls over basic health care services impose a risk of irreparable harm and even death.

As some people propose that the Government take a more active role in our Nation's health care system, I hope we can agree that access to a waiting list is not access to health care. We all agree we need to fix our health care system but, as we try to fix it, let's not make it worse. Let's learn from our neighbors to the north. Let's not force patients in America into a one-size-fits-all Government-run system.

COMPARATIVE EFFECTIVENESS RESEARCH

I would like to speak on another matter, about an important provision tucked away in the $1 trillion spending bill that passed last month. During the debate, Members spent a lot of time talking about big-ticket health care provisions—Medicaid, COBRA, Health IT. But one issue that did not receive enough attention was a term that a lot of our colleagues are not familiar with, but every colleague needs to become familiar with—this phrase ''comparative effectiveness research.'' I still haven't figured out how spending money on comparative effectiveness research is actually stimulative, but this is one of those things that probably should not have been in the stimulus bill—but it was there and is now law.

I am even willing to guess that a lot of Members do not even know what comparative effectiveness research actually is, but in the so-called stimulus bill, we increased our investment in this research from about $30 million to $1 billion. That is over a 3,000-percent increase for something a lot of Members don't know about and can't even define—and I am not sure I want anybody to ask me right now to define it in the purest sense. This makes me a little nervous.

Mr. President, $1 billion is a lot of money, but maybe it is money that even people in comparative research might not even know what they are spending the money for.

Some policy experts have expressed concerns that this drastic increase in funding will help establish the United States version of England's National Institute for Health and Clinical Excellence, also referred to as—I don't know whether the English pronounce it ''nice'' or ''niece,'' I am going to say NICE.

So you are not misled, many patient groups consider NICE to be anything but nice. NICE was created by the British Government in 1999 to decide what treatments, prescription drugs, and medical devices the British Government is going to pay for. In other words, you are having bureaucrats and/or politicians interfere in decisions that in America we normally leave to the doctor and the patient. Put another way, NICE was created for the Government to ration care and ultimately save money.

If the Congress of the United States was passing something to ration care, I will bet a good number of people in this country would get up in arms. For example, a news story printed in August entitled ''UK's''—meaning United Kingdom's—''NICE says 'No' to four new cancer drugs.'' It detailed how the NICE panel concluded that the four drugs would extend people's lives, but somehow you cannot use them because they are not cost-effective.

So, under England's single-payer Government system, patients were prohibited from getting those drugs, regardless of what the patient or their doctor might have thought. It was not until there was public outrage about that decision that made newspaper headlines around the world that NICE then reversed its decision about at least one of those drugs. The three other drugs are still considered too costly to give to patients.

Another article in the New York Times on December 8, 2008, was entitled ''British Balance Benefit vs. Cost of Latest Drugs.'' This article told the story of Bruce Hardy, a British citizen who was diagnosed with kidney cancer. Mr. Hardy was unable to get a particular drug that would have extended his life because NICE determined the drug was not ''cost-effective.'' That is because NICE has decided the British Government can only afford to pay about $22,000 for every 6 months of life.

Get this. The Government of England is putting a value on life of about $22,000 for every 6 months of life. This may be acceptable in a government-run single-payer health care system, but here in the United States only two people should be involved in deciding what treatment, drug or device to use, and those two people would be, on the one hand, the doctor; on the other hand, the patient.

We do not need the Federal Government standing between patients and their doctors. We do not need bureaucrats in Washington denying patients with terminal cancer access to the newest and most promising experimental drugs. We do not need the drug companies to have undue influence over our system either.

I think my work overseeing, as congressional responsibility dictates, the Food and Drug Administration, gives me some authority to speak in this area, that drug companies should not have undue influence. I have been a leading advocate for increasing oversight of drugs and device manufacturers. In fact, I have introduced legislation to make manufacturers report payments to patients so we can make sure we do not have conflicts of interest getting in the way of high-quality care. I have also supported drug importation and legislation to prohibit brand-name manufacturers from gaming the system to prevent lower cost generic drugs from getting to the market. So I am not down here today to defend the drug companies or device industry. They can do that on their own, and I think they do it very well. But I think it is legitimate to be concerned about patients. I don't want some faceless, unelected Government panel keeping patients in Iowa or anywhere from getting the lifesaving treatment they need.

At this time, I ask unanimous consent to have printed in the RECORD a letter I received from 60 patient groups, from the breast cancer advocates to muscular dystrophy, to name two, expressing concerns about using comparative effectiveness to ration care.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JANUARY 26, 2009.

Hon. DANIEL INOUYE, *Chairman*,
Hon. THAD COCHRAN, *Ranking Member*,
Committee on Appropriations, The Capitol, Washington, DC.
Hon. TOM HARKIN, *Chairman*,
Hon. ARLEN SPECTER, *Ranking Member*,
Committee on Appropriations, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, Washington, DC.

DEAR CHAIRMAN INOUYE, RANKING MEMBER COCHRAN, CHAIRMAN HARKIN AND RANKING MEMBER SPECTER: We are writing to urge you to ensure that any comparative effectiveness research (CER) included in the economic stimulus package establish a legislative framework that is strong and patient-centered. The goal of CER should be to arm individual patients and their doctors with the best available information to help assess the relative clinical outcomes of various treatment strategies and alternatives, recognizing that this will vary with circumstances. When used appropriately, comparative clinical effectiveness information can serve as a valuable tool that can contribute to improving health care delivery and outcomes by informing clinical decision making. By focusing on quality of patient care, such research also can help us achieve better health care value. However, we are very concerned that the House legislation and accompanying report language could have unintended and negative effects for patients, providers and medical innovators, leading to restrictions on patients' access to treatments and physicians' and other providers' ability to deliver care that best meets the needs of the individual patient. Rather, we believe any provisions related to comparative effectiveness should:

Focus CER on comparative clinical benefit, rather than cost-effectiveness. Any legislation should state that funding will be used only to support clinical comparative effectiveness research, and define clinical comparative effectiveness as research evaluating and comparing the clinical effectiveness of two or more medical treatments, services, items and care processes and management. Additionally, CER should not encourage a generalized, ''one-size fits all'' approach. Rather, it is necessary to design studies and communicate results in ways that reflect variation in individual patient needs, that help patients and doctors make informed choices, and account for differences among patients including co-morbidities, sex, race and ethnicity. Recognizing these differences is important to allowing patients optimal treatment today and to encouraging the development of innovative targeted therapies which will advance personalized medicine.

Be conducted through an open and transparent process that allows for patients, providers and other stakeholders to participate equally in governance and input, starting from the research planning stage. There are many challenges in successfully conducting and communicating high-quality, patient-centered CER. Therefore, comparative effectiveness programs should include transparent decision-making procedures and broad stakeholder representation to enhance the credibility and usefulness of such studies.

Ensure that research supports providers in delivering the best possible care to their patients. To maintain a focus on patient and provider needs, the research entity should not engage in making policy recommendations or coverage decisions. Patients may respond differently to the same intervention and the needs of the individual must be taken into consideration. Imposing rigid, federally-proscribed practice guidelines, which fail to recognize such variations, among patients can lead to poor patient outcomes and increased health care costs.

Comparative effectiveness information that reflects interactions among all of the various components of the health care system has the greatest potential to empower clinicians and patients to make more appropriate decisions. In addition to comparing scientific treatment interventions, research should also focus on how innovations in care delivery models, such as disease management programs, may produce better health outcomes.

We look forward to working with you to create a system that improves information about clinical outcomes, ensures that patients continue to have access to life-saving

treatments and the tools necessary to advance a better quality of life for all Americans. Thank you for your consideration.

Sincerely,

AACSA Foundation; The AIDS Institute; Alliance for Aging Research; Alliance for Better Medicine; Alliance for Patient Access; Alliance for Plasma Therapies; Alpha–1 Association; Alpha–1 Foundation; American Association for Cancer Research; American Association for Respiratory Care; American Association of Neurological Surgeons (AANS); American Association of Orthopaedic Surgeons; American Association of People with Disabilities; American Autoimmune Related Diseases Association; American College of Obstetricians and Gynecologists; American Institute for Medical and Biological Engineering (AIMBE); American Osteopathic Association; Association of Clinical Research Organizations (ACRO); Asthma and Allergy Foundation of America; Autism Society of America; Breast Cancer Network of Strength.

C3: Colorectal Cancer Coalition; Californians for Cures; Celiac Disease Center at Columbia University; Children's Tumor Foundation; Coalition of State Rheumatology Organizations; Colon Cancer Alliance; Congress of Neurological Surgeons (CNS); COPD Foundation; Cure Arthritis Now; Cutaneous Lymphoma Foundation; Easter Seals; FasterCures; Foundation for Sarcoidosis Research; Friends of Cancer Research; The Government Accountability Project; Intercultural Cancer Council Caucus; International Cancer Advocacy Network (ICAN); International Myeloma Foundation; International Prostate Cancer Education and Support Network; Kidney Cancer Association; Malecare Cancer Support.

Men's Health Network; Muscular Dystrophy Association; National Alliance for Hispanic Health; National Alliance on Mental Illness; National Alopecia Areata Foundation; National Foundation for Ectodermal Dysplasias; National Hemophilia Foundation; National Kidney Foundation; National Spinal Cord Injury Association; Ovarian Cancer National Alliance; Plasma Protein Therapeutics Association; Prostate Cancer International, Inc.; Prostate Health Education Network, Inc. (PHEN); RetireSafe; Society for Women's Health Research; Tuberous Sclerosis Alliance; United Spinal Association; VHL Family Alliance; Virginia Prostate Cancer Coalition; Vital Options International; ZERO—The Project to End Prostate Cancer.

Mr. GRASSLEY. I agree we need to lower the overall cost of our health care system. We need to improve quality. It is true we spend more money, about twice as much more than other developed nations in the world, and still rank poorly in many health care indicators. But having the Government ration care is not the answer. In fact, the Congressional Budget Office concluded that comparative effectiveness research would only save 1/10th of 1 percent of the total health care spending.

Let me remind you when I started out I was saying I want my colleagues to become familiar with comparative effectiveness research because this is something we are going to be dealing with in the legislation later on this year, and we just put $1 billion into this project as opposed to $30 million previously.

If Congress is going to spend this $1 billion on this research, let's not bill it as some magic bullet to control health care spending because the Congressional Budget Office—and I hope you know they are God around here, they are God around here because if they say something costs something, it costs something. If you want to overrule them, it takes 60 votes to overrule. So what they say counts. If we are going to spend that $1 billion, we have to make sure it is improving quality and informing patients and providers. If Congress is going to spend $1 billion on this, let's not establish the United States version of the United Kingdom's government-run National Institutes of Health and Clinical Excellence that I have been referring to by the acronym NICE. Let's not set up a system for Washington dictating to your doctor what treatment to prescribe. If we are going to do this, we have to do it right. Comparative effectiveness research should be about comparing clinical treatments and then letting your doctor decide the best way to treat it.

I am not up here saying there should not be any comparative effectiveness research. I am here to say it should not be a subterfuge for some bureaucrat or politician deciding who is going to live and who is going to die. It is information for doctors and patients. It should be done in the most open and transparent process possible.

Finally, the research should be used to get information to doctors and patients about the best treatment.

It should not be used for Washington to make policy or to decide what treatments the government will or will not cover. I hope we can agree the Federal Government should not be in the business of determining the value of a person's life, as I indicated to you this outfit in the United Kingdom decides that your life is worth $22,000 per 6 months.

Clinical comparative effectiveness can be a valuable tool in creating a more efficient health care system, but let's make sure we use this tool wisely.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak as in morning business.

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

AIG BONUSES

Mr. SESSIONS. Mr. President, I first would like to say a thing or two about the bonuses that have been paid to the AIG employees, those persons who are in the specific division whose actions led to the demise of what was once considered a great insurance company.

No doubt about it, that was a very serious error, and now as a result of agreements made, apparently sometime ago, they are going to receive bonuses. Everybody has been upset about it. So have I.

I said Monday on this floor the only thing I felt like giving them for free would be a free lunch and a free bed somewhere in a penitentiary. I know the Presiding Officer is a former prosecutor and has sent some people to the penitentiary. I hope they are not guilty of criminal activities, but that is how I feel about it.

But the reason we are in this is because of an unwise act. That act was—beginning with Secretary Paulson, President Bush's Secretary of the Treasury, continued now under Secretary Geithner, President Obama's Secretary of the Treasury—taking over AIG.

We own 80 percent of AIG's stock. Secretary Paulson picked Mr. Liddy, who had a good record in the past and was off somewhere with his grandchildren, and asked him to come back and try to take over this company and start pumping billions of dollars into it. It now has totaled $170 billion.

It is unbelievable how much that is, $170 billion. I would repeat, that is, compared to the Alabama budget, including schools and teachers' pay, $7 billion a year. We gave one private company, competing with a lot of other private insurance companies in America today that did not get themselves in trouble—we are bailing them out. So we should not have done that.

Now, when Mr. Paulson came before this body and asked for this power to get $700 billion to spend as he wished, I objected. As just a Senator, I was flabbergasted that he would ask for such unlimited power. Not one time did he hint that he was going to buy stock in an insurance company. It was to buy the toxic assets from banks. Do you remember that?

So Secretary Paulson, within a few days, a week I believe, had gotten his authority. But it did not say: Mr. Secretary, you get to buy toxic assets in banks—which I did not think was very good anyway and voted against it—it gave him power to do virtually anything. That is another reason I voted against the legislation.

By the way, under oath in a House committee, Secretary Paulson said he had no intention of buying stock. Somebody asked him: What about buying stock in these banks?

He said, no, he did not want to buy stock; that we were just going to buy these toxic assets.

A week later he was buying stock in an insurance company and stock in banks. And to this day, we have not yet bought any of these toxic assets, these bad mortgages that are really the problem that have destabilized our financial situation and have not dealt with yet. That is why there is still instability out there.

OK. So here we are now; we own this corporation. So I asked the question about the bonuses at AIG. Apparently, they got a contract. By the way, when we passed legislation here, it was with a Democratic majority. Somewhere in conference they put in language in the legislation that basically said bonuses would be honored if they were entered into before a certain date. These bonus contracts were entered into before that date.

So now we have all of these protestations and all this angst and all this outrage about bonuses, and we have to do something about it. I am outraged, too, really but have a little perspective. The amount of the bonuses are one-thousandth, less than one-thousandth of the amount of money we put in this corporation that is at great risk today. And that is a galling issue for all of us, to have this division, the bad division in the whole fine insurance company, taking this company down, and they get the bonuses. It is outrageous. It really is. But the truth is, it appears there is some contractual right for them to have it.

So I would ask, what about the folks in these companies who are paid too much? Maybe we ought to have debate on the Senate floor about how much every employee of AIG should be paid or how their bathrooms should be configured or whether they should even have a private bathroom or how many businesses they ought to have or what kind of cars they should drive, whether they should have jet airplanes, whether they ought to be on Manhattan or some cheaper place in Brooklyn.

I mean, what we are going to enter into is these have become political decisions because politicians own the company. This is a warning for us. We have to be careful about buying stock in corporations. I am telling you, it is not a good policy. I do not believe it was justified in this circumstance. I think history is demonstrating that.

I am worried about it. We need to get out of AIG. How are we going to do it? I think the way you do it, and the way it should have been done from the beginning, is the company should have gone into chapter 11 under the Bankruptcy Code. You would have had a Federal bankruptcy judge bring all of them in, raise their hands under oath, testify to the financial condition, how this all happened, what parts of the company are good, valuable, prosperous, what parts are sick and in danger.

Then we could have figured out as a government how we could help with the sick and toxic parts, get rid of the others and let all of that go, and we would not have been running this company.

So now we are going to tax them. I am not sure how this has been written, but we are somehow going to identify the several hundred people who got bonuses, and we are going to tax them. We might as well put their names in the RECORD. I do not know; it is probably unconstitutional. It really is. It is a real constitutional question, certainly a policy question, that the Congress is going to abrogate a contract whether we like it or not. But a bankruptcy judge can. A bankruptcy judge has constitutional power to abrogate a contract. I am certain a bankruptcy judge would have invalidated the contract for bonuses for the people in this division. They do not have the money.

The only reason they are afloat today is because we bailed them out. They would not have jobs if we had not bailed them out. This whole thing would have been done differently. So I am worried about what we are doing.

THE BUDGET

Mr. President, I am also worried about the budget. The President has submitted a budget. It has come over to us now. It is in a bound book, slick cover. It sets out his agenda for the future. It is an important document, and it sets out his priorities and his direction he wants the country to go.

I am a member of the Budget Committee, and we will be marking that up and offering amendments to it next week. But the American people need to know that the financial condition of our country will be altered to a historic degree if this budget is passed. I am not just saying that. I am saying, read the budget. That is what it says.

I will share some thoughts about it. I think there is a growing bipartisan consensus, and certainly at least a concern on both sides of the aisle, that the budget deficits and spending levels are unsustainable; that is, continuing these levels of spending will destabilize this country, weaken the value of our dollar, perhaps kick off inflation, and in many other ways erode confidence in the United States as a government of integrity and financial wisdom and management that can be relied on.

So while American families are out there right now saving a good bit more than they have in years past, watching their pennies, while American cities and towns who have been in my office this week and are telling me they are seeing a 6 or 7 or so percent reduction in sales tax revenues and revenues for their towns, they are managing well, and they are getting by. They are postponing some things they would like to have done this year until they get a little more money in, and they are not going out of business. They heard there was some free money in the stimulus package. They wanted as much of it as they can get. Fair enough. But, you know, they are getting by.

Our Government is increasing spending to a degree to which we have never seen before. This budget calls for $3.6 billion in spending, which is, in effect, a 20-percent growth in nondefense programs. I am talking about the discretionary programs under our control that we deal with from 2008 levels to 2010 levels, 20 percent.

At that rate, of course, that is 10 percent a year, and with a 7-percent growth rate per year your money will double in 10 years. This is the track we are on. It is a huge baseline budget increase to pay for this expansion of Government.

The budget imposes or presumes $1.4 trillion in new taxes. That includes a national energy tax similar to the one the MIT experts predict would cost working families $3,100 per year. That is almost $300 a month for the average family for this tax. So despite these taxes, the budget will require even more borrowing. We will go even further in debt despite the tax increase.

We would double the debt held by the public in 5 years. I mean, the total American debt we have today would double in 5 years and triple in 10 years. Our budget is a 10-year budget. It projects what this administration believes should happen over the next 10 years. That is what they project will happen.

Under this plan, starting in 2012, the United States will pay $1 billion a day in interest to our creditors, the largest of which are China and Japan outside of our country. That is $1 billion a day in interest on this surging debt we have.

So, in summary, I believe it is fair and honest to say this budget spends too much, it taxes too much, and it borrows too much. The administration has promised the budget would be free of accounting tricks and gimmicks, but they have not met that standard either. On the one hand, we have been told repeatedly by the administration that we face the gravest economic crisis since the Great Depression.

On the other hand, his budget assumes that unemployment will not rise beyond today's level and economic growth will not substantially fall. I cannot accept and I do not buy the rhetoric of imminent economic disaster. I have not believed that is likely. I still don't believe it is likely. I know we are in a difficult time, but few, if any, economists would agree with the budget's prediction and assumption that unemployment will stay at today's rate of 8.1 percent or that the gross domestic product this year will only decrease by 1.2 percent. The administration's rosy economic picture permits them to assume, therefore, greater revenue. If you assume you have a higher growth rate, a lower unemployment rate, more people are making money, more people are working and getting paid, less people are on unemployment compensation, you assume you have billions more dollars to spend on whatever you would like to spend it on.

An independent blue chip group that predicts unemployment and predicts GDP is predicting GDP will decline more than twice 1.2 percent, and they are also predicting the unemployment rate will hit 8.9. I believe our Congressional Budget Office is predicting unemployment will cap out at 9.1 percent. I have seen some figures of 9.4 percent. I am hopeful we will come in under 10 percent. I believe we will.

To build on good feelings here, I will note that under President Reagan, when Mr. Volcker was Secretary of the Treasury, they realized they had to confront and break the back of surging inflation. Unemployment hit 10.9 in the early 1980s. It kicked off, though, a sound economy, and for 20 years we have had steady growth after collapsing the unacceptable inflation rate.

The best estimates I am seeing do not predict economic disaster, but they

certainly don't predict the kind of minimum economic slowdown these numbers are assuming. When those numbers prove to be off the mark, the result will be deficits higher than the administration is predicting in their own budget. That is what I am saying. If you look at the budget over the next 10 years, that is what really worries me.

In 2004, President Bush, after 9/11 and after the recession that occurred there, his deficit hit $412 billion. That was the biggest deficit we had since World War II. He was roundly criticized for that. I wasn't very happy with it either. I liked President Bush, but I thought that was too big a deficit. It dropped until 2007, when it hit $161 billion.

Last year, President Bush sent out the $300 checks and the $150 billion in deficit spending on top of our other deficit to try to stimulate the economy. It didn't work. He sent out that money. Everybody got the little check. Whatever they did with it, it didn't do much good. The debt jumped to $455 billion. So last year, September 30, the deficit was $455 billion, the largest we have ever had, perhaps including World War II. This year, there is uniform agreement.

The Congressional Budget Office is scoring that at September 30, our deficit—the amount of money we spent, less the amount of money we have taken in in taxes—will be $1.8 trillion, one thousand eight hundred billion, four times the highest deficit we ever had last year. That is a serious matter, not a little bitty matter. The budget the President sent us projects that next year—and he does this over 10 years—it will be $1.1 trillion. It begins to drop down to that and hits $533 billion in the fourth year. That is the year he said he cuts the budget deficit in half.

The reason the deficit was particularly high this year is the money we spent for the financial bailout of Wall Street that they bought AIG with and other bank stock. The Congressional Budget Office said we are going to lose about $250 billion in that deal. We will get some of it back. They scored in this year's budget $250 billion for that. We have bought Freddie and Fannie, taken over and guaranteed all those loans at those two huge financing institutions, which were quasi-private, basically private, we have taken those over now, and CBO has scored about another $250 billion. They are putting all of that in this year. And then we passed, a few weeks ago, $800 billion—pure stimulus spending to send out over the country. You heard it was for roads and bridges. Only 3 or 4 percent went for roads and bridges. The rest of it went for all kinds of nice ideas, not very stimulative in the minds of experts. So you add that over the next 2 years of spending, split that out. That is how we get such a high year this year.

One reason we are at a trillion dollars next year is because they are scoring some of that $800 billion in next year's deficit. At any rate, it drops down, OK? So the fourth year, we are hitting $533 billion. That is still the highest deficit in the history of our Republic. Then it starts going up. And the budget President Obama gives us projects that in the 10th year, the deficit will be over $700 billion.

That is why we need the American people to be engaged. Members of Congress are going to have to study the numbers. They are going to have to study the immensity of the requirements of this budget. We are going to have to reject it. We cannot pass such an automatic guaranteed surge in debt. It would triple our total national public debt in 10 years.

This is the beginning. The budget will begin to be marked up next week in committee. It is going to take more than just the committee members to decide what we do. I believe the American people and the Members of this Congress are going to have to get our heads together and figure out some ways to do like our cities and counties. Instead of having baseline spending increase at 7, 8, 10 percent a year, we might go for a year or two where we don't increase at all. Just a little bit of that would have a dramatic impact on the deficit. It is the increases that are killing us. They are projecting increased revenues in the years to come, but they are projecting substantially greater increases in spending.

That is not who we are as a people. We are a people of limited government. We are people of low taxes. We are people of individual responsibility. That is a fundamental American ethic, individual responsibility. The Europeans are more into this Socialist mentality, but we were faced with the spectacle over the weekend of our own Secretary of the Treasury going to Europe meeting with Europeans and upbraiding them because they aren't borrowing enough or spending enough, in his mind, going far enough into debt to stimulate the economy as much as he would like to see it done. They are being more conservative and responsible than we are. It is a matter of real concern.

These are important issues. I hope the debate will continue and all of us will look at the long-term interests of this great Nation and take the steps today that will protect our future.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHUMER). The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent to speak in morning business.

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

FINANCIAL MARKETS COMMISSION

Mr. ISAKSON. Mr. President, we were all reminded yesterday, when news of the AIG bonus payouts hit, of the frustration all of us have and all the American people have with the financial difficulties the Nation has had but also what appear to be at best irresponsible acts taking place by many of the financial institutions that, in fact, received Federal TARP money.

I rise to repeat a call that Senator CONRAD and I made 6 weeks ago on the floor of the Senate. We created a piece of legislation known as the Financial Markets Commission, a commission patterned after the 9/11 Commission, a commission of seven appointed members—two by the President, one by the Speaker of the House, one by majority leader of the Senate and one by the minority leader, one by the minority leader of the House, and then one by the chairman of the Federal Reserve—seven members given 360 days a year, empowered with a $3 million budget and subpoena power to investigate every aspect of the financial collapse in the United States, whether it is insurance, investment bankers, mortgage bankers, individual managers such as Mr. Madoff in New York or anybody else, and to come back to the American people and to the President a year from now and tell us, to the best of their ability, in a forensic way, what happened. If, in the course of their investigation, they find inappropriate activities, there is the requirement that they refer those to the Attorney General of the United States of America.

It is important that we do this for four reasons. I will go about them briefly.

No. 1, it should be an independent panel that is fully funded and has subpoena power so there is no impediment to gathering facts, finding out the information necessary, and making that report.

No. 2, it should be created by the Congress, but the membership should be appointees who are experienced and knowledgeable in finance, banking, investment banking, and in law, not politicians but professionals who know, just as we had on the 9/11 Commission 2 years ago.

No. 3, there is no question that mistakes were made, but there is no question that some people took advantage of the system. The public expects, I expect, and we should demand that where we find wrongdoing, it is eliminated, pointed out, the individuals who did wrong are held accountable, and we restore some level of confidence in the oversight of our financial system.

No. 4, I think it is time that all of us recognize there is plenty of fault to go around. You could blame a hedge fund. You can blame a Madoff. You could blame an AIG. We have to look in the mirror as well. The second vote I ever cast in the Congress was the vote that repealed Glass-Steagall, put in the Gramm-Leach-Bliley bill. I thought it was good legislation. So did 99 percent of the House and Senate. In retrospect, by allowing the vertical integration of the financial system from insurance and mortgage banking to investment banking and regular banking, we blurred some of the lines that for so many years had protected the integrity of the financial system in America. As a result of that, situations happened, like AIG and Citibank, where vertical integration beyond the original mission of the financial services of the

company attracted more money but it also attracted more greed. And it had no transparency.

I think it is critical, at a time and place where we recognize we have had some significant problems, where the American people know it is going to take us time to recover, for us to have a forensic audit of the financial systems of the United States, the regulatory authorities, the legislative bodies, and any individuals who were part of it so that we can learn from the mistakes that have been made, we can put in the transparency that is necessary to prevent it happening in the future, and we can restore the confidence of the American people in the American financial system.

I urge colleagues to look at the Financial Markets Commission, join Senator CONRAD and myself as cosponsors. Let's begin finding the answers that all of us seek and that the American public demands.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AIG

Mr. HARKIN. Mr. President, I am sure my office is not the only one that has been flooded with calls, e-mails, and letters expressing anger—righteous anger—as to what happened at AIG. In fact, the person in charge of my mail told me our e-mails on this issue is running higher than anything that has happened in recent history.

Well, I am not just angry and disgusted at AIG, I am, frankly, kind of dumbfounded by how this has all happened. How in the world could AIG decide to pay retention bonuses worth millions of dollars to the very individuals whose reckless practices caused this meltdown on the global financial system? This truly sets a new gold standard for arrogance and being clueless.

Now, to add insult to injury, the CEO of AIG, Edward Liddy, told the House Financial Services Committee this morning that these bonuses were ''distasteful'' but ''necessary'' because of contractual obligations. Mr. Liddy said he asked the bonus recipients to return half of the money. But he rebuffed the demand of 44 Senators, including me, that he renegotiate those contacts and recoup all of the bonus payments.

Now, for the AIG unit specifically responsible for much of the financial difficulties we are in to receive $170 billion in taxpayers' money, and then to give these extraordinary bonuses to people who should have been fired a long time ago, is shameful and inexcusable—inexcusable—since the Federal Reserve and the Treasury knew about these bonus payments before they went out but did not act aggressively to stop them.

There is a broader context to the public's anger at AIG's misconduct. Bear in mind we are in the longest, deepest, most destructive economic downturn since the Great Depression. We are now losing jobs at a rate of about 650,000 a month. Millions of Americans are losing their jobs, their retirement savings, their pensions, their health insurance, and, yes, their homes.

But Americans look at Wall Street and Washington, and they see business as usual. They see alumni of Goldman Sachs and Citigroup arranging tens of billions in bailouts for their former Wall Street colleagues. They see corporate executives flying to Washington in expensive corporate jets to ask for taxpayer bailout money.

At a time when their incomes are stagnant, they see a rapidly rising concentration of wealth in the hands of a few, with the average CEO now making 430 times as much as the average worker. They see these hedge fund hotshots making tens of millions of dollars manipulating markets, while they get paid the minimum wage for doing some of the most difficult, draining work imaginable.

They see corporate executives getting gold-plated pensions worth tens of millions of dollars, while, in some cases, the very same corporation is slashing pensions for their rank-and-file employees.

Hard-working, ordinary Americans see these harsh realities and—with good reason—they get the idea there is one set of rules for the little people and a very different set of rules for the privileged and the well-connected and the wealthy. Call it the Leona Helmsley rule.

For instance, look at the double standard for key people at AIG. The Federal Government required union workers at GM and Chrysler—some making as little as $14 an hour—to renegotiate their contracts and accept lower compensation as a condition for their employers getting taxpayer bailout money. But the compensation contracts at AIG are held up as somehow sacrosanct and untouchable. Well, this is complete nonsense. Why shouldn't multimillionaire employees at AIG be treated the same as line workers at GM or Chrysler? Why shouldn't they have been required in the first instance to renegotiate their compensation contracts, as well, before we gave AIG all that money? To me, it is a matter of basic fairness and equity.

So the anger of the American people at AIG must be seen in this broader context. Hard-working Americans are sick and tired of playing by the rules and falling further and further behind, while the privileged and the well connected break the rules and get richer and richer.

That is why the misconduct at AIG—these lavish bonus payouts to people who deserve to be fired—must not be tolerated. It is time for a measure of fairness and common sense.

Mr. President, 73 AIG employees were paid bonuses of $1 million or more, and 7 in excess of $4 million. Now we find that a number of these people who got these bonuses already left the company. We were told before the reason for the bonuses was to retain people. Well, we see a lot of these people have already left. So now the reason is because of a contractual—a contractual—obligation.

Well, even if an AIG executive had a contractual claim to a multi million bonus, one would think that contract has been abrogated. It has been a few years since I have been in law school, but I do remember a few things from contracts. Contracts can be abrogated.

For example, Mr. President, if you and I have a contract, and one party does not perform, the contract is abrogated. Contracts also can be abrogated by bankruptcy. We know that. If we have a contract, and one party goes bankrupt, the contract can be abrogated.

Well, let's look at it from those two standpoints.

Nonperformance: Well, it is funny. We have been told about these contracts, but has anyone ever seen one? I am talking about the contracts AIG had with the people who were getting the bonuses. They say they had a contractual obligation. I would like to see one of those contracts. What did it say?

Well, to listen to Mr. Liddy, evidently all the contract said is, if you are alive at a certain date you get a bonus. Now, I say to the Presiding Officer, you know as well as I do, bonus contracts are not made that way. Bonus agreements are made on the basis of performance. Surely, AIG did not make a contract with one of their employees that said: No matter what you do, no matter how much money you lose for this company, no matter the circumstances, we are going to give you a bonus. No one believes that.

So, herewith, I call upon Mr. Liddy to show us the contracts. Let us see them. Let us see the contract that AIG had with all those people who got bonuses. I would like to see what it says. I would like to see if it just says: If you are alive on a certain date, you get the bonus no matter what you do.

I do not think it said that. I think those contracts said: If you do certain things, you get a bonus; or if you are here, we will give you a bonus to retain you; or you have to do certain performances. I would like to see those contracts.

Then I hear people in our own Government, in this administration, talking about the sanctity of contracts. Well, maybe they ought to go to law school—a couple of them—and find out that contracts can be abrogated. They can also be abrogated if they are unconscionable.

Public policy: This goes way back into British common law. But, again, that is a sort of maybe yes, maybe no.

But courts have held contracts to be abrogated if it is in the public good or if it is unconscionable, for example, that these contracts were made. I would say in this case it would be unconscionable for someone who has been in charge of bringing this company down and lost more money than any corporate enterprise in history to receive a bonus payment, especially since it comes from the taxpayers.

Now, it might not be unconscionable if it came from stockholders, shareholders, other equity partners. But when it comes from the taxpayer, I would suggest it is unconscionable in this circumstance. So I do not know who these people are, talking about the sanctity of these contracts, but, obviously, on any one of those three items, surely those contracts cannot be held to be valid.

Now, the only reason these contracts are worth anything at all is because we stepped in and gave them all this money. If we allowed AIG to go bankrupt, these executives would probably not have gotten one cent of bonus. They would not have gotten one cent. So it really is unconscionable they would then take taxpayer money and give these bonuses out.

But, again, I repeat, we need to see these contracts so we can make a judgment as to whether Mr. Liddy is telling the truth. I have gone beyond accepting his word. I want to see the contracts.

Now, again, since AIG seems to have the responsiveness of a mule, it is time to hit them in the head with a 2 by 4. Congress has to step in. And I know the Presiding Officer, the distinguished Senator from New York, Mr. SCHUMER, has worked on a bill that I support that would reach out and get this money back to our taxpayers. I want to compliment my good friend from New York, the Presiding Officer, right now for doing that because basically that is the way we have to get the money back.

Ideally, I would tax at close to all income above $400,000 not only at AIG but at all other companies that have taken TARP money, bonus or otherwise. State, local and foreign income taxes plus payroll taxes and the federal tax should add up to 100 percent on whatever is over $400,000.

Now, I know Mr. Liddy asked for them to give back half of the money. To me, that is not acceptable. If somebody got $4 million, and they are going to give $2 million back, I am sorry, that is not acceptable. Go tell that to the line workers at GM and Chrysler who was asked to gave up some of their $14 per hour or gave up some of their pension rights and things like that to get the bailout money.

Well, at any rate, I think there are 44 Senators on a letter, if I am not mistaken, now, I say to my friend from New York that says take those bonuses back or we stand ready to recoup those bonus payments, perhaps with an income tax of 91 percent.

I also say there was an amendment that was added to the stimulus bill, the American Recovery and Reinvestment Act, that limited executive pay at bailed out companies to $400,000 annually and voided any contracts providing compensation above that level. The Senator from Missouri was the lead sponsor on that. I was a cosponsor on that amendment. It was accepted on the stimulus bill here in the Senate, and then it went to conference. Then it got dropped. Why did it get dropped? When did it get dropped? Who advocated dropping that in conference? I would like to know the answer to that question.

Now, again, you might say $400,000 annually? Well, that was put in there because that is the salary of the President of the United States. We said nobody working for are TARP receiving company should make over that. You could get $400,000, but nobody over that. But that was put in the stimulus bill, and then it got dropped mysteriously in conference. I ask, why?

Well, again, I say to the Presiding Officer, I think your work on this issue and I hope we act on the concepts we are urging soon; I do not know when, but the sooner the better—that the tax be as close to 100 percent as we can get. But, obviously, we have to minus the State and other income and payroll taxes that might be owed on that sum. That has to be taken out. I understand that. And, ideally, if some lower paid person, a secretary or someone like that, got—you do not want to bother them either. But you want to get at these people who were meddling and moving these credit default swaps and other financial instruments around and ratcheting them up and giving phony valuations to them. These are the people who should not be getting any of the bonus money whatsoever.

I would also like to see the Treasury become a much more aggressive watchdog and defender of the taxpayers' interests. When Wall Street lawyers say that outrageous compensation contracts must be honored—even under dramatically changed circumstances and even when we know the contracts can be abrogated by certain circumstances such as nonperformance and things such as that—we need Treasury lawyers who will say no, who will push back hard, be creative and tough-minded, doing everything possible to protect the taxpayers' interests.

Likewise, when the lawyers say AIG—which we must say now is the Federal Government because we own 80 percent of it. So when you are talking about AIG, you are talking about the Federal Government and taxpayers. So when Wall Street lawyers and the Treasury lawyers say taxpayers must pay 100 percent of payouts to counterparties on derivatives contracts, we need a Treasury that will do all that they can to say no and who will see to it that those counterparts, including Deutsche Bank and other big banks in Europe, have to take a haircut too. They have to share some of the pain. Again, after all, if we had let AIG go bankrupt, Deutsche Bank would have gotten nothing or very little. Yet to permit them to be made completely whole by the taxpayers of this country is not right.

We need to make it clear to AIG—and, again, we are focused on AIG, but we have to say this to all recipients of taxpayer bailout money that business as usual will not be tolerated. Incompetence, recklessness will not be rewarded. It is an insult and an affront to the American people that will not be allowed to stand. Not just at AIG but everyone else who is getting this so-called TARP money. It is time to be fair, and it is time to let the taxpayers of this country know we are going to stick up for them. We are not going to let this business as usual continue.

Again, I thank the Presiding Officer, for the time but also for his leadership on this issue, in making sure we go after these people and get this money back. I just hope we do it soon. The sooner we do it, the better off we are all going to be.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

FOLLOW AUTOWORKERS' EXAMPLE

Mr. LEVIN. Mr. President, much has already been made of the recent action by AIG to distribute $165 million in bonuses for some of the very employees who contributed to the company's near collapse, the loss to our Treasury of tens of billions of dollars, and the severe damage to our economy. I joined with 43 colleagues yesterday in signing a letter, which our Presiding Officer was instrumental in writing, to the chief executive officer of AIG to express our outrage that this kind of money could go out the door, when the only reason the company survives today is the $170 billion in U.S. taxpayer dollars that has been pumped into AIG over the past 6 months.

I recognize that my disgust with this situation is far from unique. I wish to briefly discuss the appalling double standard revealed by the treatment of hundreds of thousands of honest autoworkers who are victims of the current financial crisis, compared to the treatment of a few hundred overpaid financial executives whose poor judgment and greed helped cause AIG's and our Nation's financial crisis.

Right now, in large part because of the mortgage fraud, sleazy lending practices, outrageous financial engineering, and inadequate regulatory oversight that caused the financial crisis, we are in a deep recession. The recession means people aren't buying

cars, and many who want to buy a car cannot get a loan because credit is so tight. No one foresaw those circumstances back in 2007, when the UAW last negotiated a labor contract for this country's autoworkers. That 4-year contract was supposed to last through 2011. When the bottom fell out of the economy, the future of the big three auto companies was called into question. The auto industry came to the Federal Government for help, and we offered assistance in the form of bridge loans, with the understanding that all the stakeholders would have to sacrifice to make this a fair deal for taxpayers.

The autoworkers' response was not: We signed a 4-year contract and we are not changing a word.

They could have taken that position, but they didn't. Instead, the workers renegotiated their contract. They agreed to significant reductions in their pay and benefits. They are doing what they can to help their company survive and help get our Nation out of this economic ditch.

Contrast those autoworkers with the AIG executives. When the economy began tanking, AIG's stock nosedived, its assets plummeted in value, and the company lost its AAA credit rating. Due to hundreds of billions of dollars in commitments that AIG had issued, called credit default swaps, but which they failed to support with reserves, AIG's executives came hat in hand to the Government. The Government responded with billions of dollars in aid, not to protect AIG but to safeguard the U.S. economy from the threat posed by an AIG collapse.

AIG's executives, including the financial products division that helped bring AIG down, were saved from bankruptcy. To recovery from AIG's financial fiasco and repay the Government loans, it should have been clear that everybody at AIG would have to make sacrifices to sustain the company and rebuild the U.S. economy. Unlike the autoworkers, however, AIG's executives didn't step to the plate. The 400 or so AIG employees at the Financial Products division signed employment contracts in the spring of 2008 that promised millions of dollars in bonuses and retention payments. When AIG attempted to renegotiate those employment contracts, the Financial Products executives refused. They demanded their millions, and AIG complied at the same time the company is borrowing tens of billions of dollars from American taxpayers.

This week, according to the information of the New York attorney general, Andrew Cuomo, 73 AIG executives received so-called retention bonuses of $1 million or more. That is 73 millionaires out of the AIG fiasco that is taking billions of taxpayer dollars to fix. Eleven of those millionaires took the money and ran—they don't even work at AIG anymore.

Wall Street has been out of control for years now, with high-risk financial concoctions and with excessive compensation that is too often unrelated to performance or shareholder value. But the contrast between assembly line workers in the auto industry giving up their bonuses and benefits to keep the big three in business, while executives who drove AIG over a cliff thumb their noses at the very taxpayers bailing them out, is simply too much to go unnoticed.

The greed and chutzpah shown by these executives is reprehensible—unacceptable to me, unacceptable to my constituents and unacceptable to this body and to every American who believes, as I do, that our Nation perseveres through hard times by working toward our common interests and making shared sacrifice. American taxpayers are pouring billions into AIG, even as millions of Americans have lost their jobs. Many more have made sacrifices similar to the autoworkers to help their employers and their families survive.

AIG employees need to be clear: Without the U.S. Government, there would be no AIG, and they would have no job and no salary, let alone a bonus—let alone a $1 million bonus. In these exceedingly difficult times, AIG executives should follow the example set by the American autoworkers and renegotiate their employment contracts and accept compensation that doesn't shock and offend the American taxpayers who are keeping their company and this economy afloat.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. COBURN. Mr. President, H.R. 146 is the pending business; is that correct?

The PRESIDING OFFICER. That is correct.

AMENDMENT NO. 683

Mr. COBURN. Mr. President, I call up amendment No. 683.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 683.

(Purpose: To prohibit funding for congressional earmarks for wasteful and parochial pork projects)

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON FUNDING FOR CONGRESSIONAL EARMARKS FOR WASTEFUL AND PAROCHIAL PORK PROJECTS.

Sections 7203, 7404, 13006, 10001 through 10011, and 12003(a)(3) shall have no effect and none of the funds authorized by this Act may be spent on a special resource study of Estate Grange and other sites and resources associated with Alexander Hamilton's life on St. Croix in the United States Virgin Islands, a celebration of the 450th anniversary of St. Augustine, Florida, and its Commemoration Commission, the National Tropical Botanical Garden and the operation and maintenance of gardens in Hawaii and Florida, and a water project in California to restore salmon populations in the San Joaquin River or the creation of a new ocean exploration program to conduct scientific voyages to locate, define and document shipwrecks and submerged sites.

Mr. COBURN. Mr. President, this is the last of the amendments I will offer on this bill. These are specifically five particular directed authorizations and spending that really do not fit—maybe with the exception of one—that do not pass the smell test and do not pass the commonsense test. I have no delusions about how the Congress will handle this. We have demonstrated our inability to choke off our own parochial interests. These are five areas that, I believe, if the American people really knew what they were about, would reject out of hand.

This bill is going to cost the American taxpayers $11 billion. If we adopt this amendment, we will reduce that by 10 percent.

In this bill is $3.5 million for a birthday celebration for the oldest city in America, St. Augustine in Florida. That is going to occur 6 years from now. Think about that. We are in one of the most difficult financial times we have experienced. Families are being hit severely with unemployment, declining values of their savings, declining values of their No. 1 asset, their home, and we are going to authorize $3.5 million to study how to best have a birthday party in a town in America. It may be a great thing to celebrate this early city in our country, but it is not a great thing to steal $3.5 million from the next two generations to pay for it. Noting, and I have said this on the floor, that we will have a $2.2 trillion deficit this year, any example of less than the tightest fiscal ship ought to be made fun of, it ought to be brought forward, it ought to be made public so people can see it.

There is not a whole lot of difference between this and somebody inserting something in a bill to say the people who got the $176 million worth of bonuses will be able to keep them. That is what happened in the conference. That is why the AIG problem is there, because some Member of Congress made it happen that way. We should be just as outraged when we see these kinds of projects earmarked in an authorization bill that do not pass the smell test either.

There is $5 million for botanical gardens in Hawaii and Florida. We don't have to spend that money. That is an option. This is directed authorization to make sure when it comes to appropriations we know where it is going to go. It is going to go to somebody's benefit—some Congressman's benefit or some Senator's benefit.

So in this bill is a birthday celebration, $5 million for botanical gardens in

Hawaii and Florida, a controversial issue, to say the least, in terms of spending over $1 billion on a settlement claim on a river. Prior to a dam being placed there, they already had a marked decline of the salmon run in it. That is what the historical records show. But we have a lawsuit and a Federal judge who says we are going to do this. By the way, we are going to put at risk $11 billion worth of commerce in some of the most productive areas of California. The metric on spending the $1 billion that has been agreed to is when you have 500 salmon. That comes out to over $2 million a salmon. I have not figured that up by ounce, but it is pretty expensive salmon. It is not to say we should not do good things and right things to maintain fisheries and to maintain natural salmon runs. The fact is, this happened a long time ago, and it was diminished before there was ever an imprint in terms of damming in the waterway.

There is also $250,000 to study Alexander Tyler's boyhood home in St. Croix, Virgin Islands, with the idea of making it a national landmark. First, it is not a priority—it cannot be a priority for us. It cannot be a priority that we would spend money right now at this time when we are facing these significant difficulties financially, when, in fact, we are going to borrow $7,000 per person across the whole Nation more than we spend this year—$7,000. That works out to almost $30,000 a family that we are going to borrow against our kids and our grandkids. And then we have the gall to say it is OK to spend money on this.

The final aspect is a study and an authorization to allow an unspecified amount for a new national ocean exploration program and undersea research program within the National Oceanic and Atmospheric Administration that is tasked to conduct scientific voyages to locate, define, and document historic shipwrecks. There is $320 million authorized to be spent over the next 7 years on that. It may be something we want to do when we have our ship aright and our ship is not sinking, but to authorize and spend that money now on a new program to look for sunken ships does not pass the commonsense test this body ought to be about.

We already have the following that documents shipwrecks, old ones as well as new ones: the U.S. Coast Guard, the Library of Congress, 12 private museums, 8 libraries, 8 historical societies. And those are just a few. There are other Government sources, including the National Archives and Records Administration, Internal Revenue Service, Office of Distribution Services, the Defense Mapping Agency, the Smithsonian Institution, the Naval Historical Center, and the Federal Building, Great Lakes Courthouse papers. There are 12 separate museums and 8 other libraries and historical societies. There are 22 publications out this year on shipwrecks. Oh, there are nine U.S. Government shipwreck publications, and there are eight other additional sets of records in custody of the National Archives.

The other thing that this bill does is it throws five earmarks right at President Obama and says: We don't care what you said, we are going to do it anyway. It goes against his pledge. It goes against our pledge. It goes against the idea of change you can believe in. It diminishes hope when we have items such as this in this bill. It is discouraging to the people who are out there struggling that we would put such things in this bill. I understand they are authorizations and they may not happen. I agree that you ought to authorize earmarks before we do them. But I can tell you, I don't think these pass any resemblance to anything that has common sense.

I will talk about this again in the morning. Tomorrow, I also plan, before the final vote on this bill, to list specifically over 30 wilderness areas that the wilderness study said should not be transferred into wilderness as we do in this bill. Hear me clearly: 30 new wilderness areas which the study said should not be included in the wilderness area that we have included in wilderness in this new bill. Why spend the money on a study if you are not going to pay attention to it? Why did we waste all that money?

I will go through a limited but thorough critique of the bill again tomorrow.

I know the ranking member would like to speak and to praise a species of stamina and courage that I would only hope we would reflect in the Senate.

I yield the floor.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from Alaska.

TRIBUTE TO LANCE MACKEY

Ms. MURKOWSKI. Madam President, my colleague from Oklahoma has given me a fine lead-in this evening to rise and tell an amazing story of an Alaskan dog musher named Lance Mackey and the story of his dog teams that carried him to yet another record-breaking victory today in the toughest race on Earth, and that is the Iditarod.

The story of Lance Mackey is not only amazing because of his skill and his determination in the sport of dog mushing, but Lance Mackey has also overcome some very incredible personal challenges. He had a victory over cancer that preceded his victories in the sport of dog mushing.

Lance is a lifelong Alaskan. He married his high school sweetheart. He has four children.

He was diagnosed with throat cancer after finishing in 36th place in the 2001 Iditarod sled dog race. After that race—the man doesn't give up—he had extensive surgery and radiation treatment.

He attempted to complete the Iditarod the following year, in 2002, after this surgery, but he had to scratch. He had to drop out of that race, taking time off from dog mushing to recover from his cancer and the surgery. He is now considered cancer free. He went on to win the Yukon Quest, one of the two major sled dog races in Alaska. He did this in 2005 and 2006. Then Lance Mackey went on to do what no one had done before and what most people consider absolutely impossible. In 2007 and 2008, he won both the Yukon Quest and the Iditarod, two incredibly grueling races, with only a week and a half in between each race to rest before he moved to the next event. For the first time in the history of the races, Lance had won both races, and he did so 2 years in a row. And today, Lance Mackey won the Iditarod yet again.

For those of you who may be unfamiliar with either the Iditarod or the Yukon Quest, these races are the world's two longest sled dog races. Both races span over 1,000 miles of really tough mountains, rugged mountains, frozen tundra, dense forests. These are true tests of dedication and determination. Not only does the rugged terrain pose immense obstacles, but they have the weather that factors in. It is starting to turn a little bit like spring around here, but back home it is still winter, and these mushers face temperatures which frequently drop to 30 or 40 degrees below zero. And then they have the wind that kicks up, winds gusting up to about 100 miles per hour. So you can imagine what the wind chill factor is as you are racing those dogs in the weather and the elements.

The annual Yukon Quest sled dog race is a 1,000-mile international trek. It goes from Fairbanks, AK, over to Whitehorse in Canada. Lance Mackey and his team of canine athletes have won this race 4 years in a row.

The race Lance won for the third consecutive year today is the 1,100-mile Iditarod sled dog race. This race starts in Willow, AK, and ends up in Nome, AK. The race commemorates the 1925 diphtheria serum relay. They ran dog teams in a relay to pass along a vaccine for diphtheria. They needed to get it from Anchorage, where it had come in by ship, to Nome. At that point in time, we didn't have the ability for air transport to get into Nome. So how do you move it and how do you move it quickly? Well, we resorted to a series of dog teams to move that serum north and to save the lives of those who were infected.

Today, the Iditarod is no longer run as a relay, but it is a race of individual dog sled teams. This 1,100-mile race takes the mushers into some incredibly beautiful areas. The journey they travel through—the Alaskan wilderness—is exceptionally beautiful. But as I mentioned, you not only have tough terrain but you have brutal weather. This year has been particularly tough, with the snow and the wind. It has caused delays, it has caused real setbacks with the mushers and the teams as they have been trying to go through high snowpack. There have been some accidents, there have been some sleds that have been lost, and it has been very difficult. We had some near hurricane-

force winds that forced dog musher Lou Packer and his dogs to be airlifted to safety, and he and his team had to quit the race. He described what I would call life-threatening weather conditions by saying:

We were climbing over this mountain and we got hit by this wind that hit us like a hammer. The temperature dropped—started plummeting—and I lost the trail. And the wind started to build and build, and then the wind got bad, so I climbed in my sled and it was pretty much a survival situation at this point. I threw all the gear out of my sled and climbed in and zipped it up; it was probably 30, 35 below, I have no idea.

These are the types of individuals who train all year long with their dogs to prepare for this incredible race. So it is not just the musher whose success we celebrate but it is these incredible four-legged athletes that are absolutely astounding.

Some of the other mushers out on the trail are pretty extraordinary folks, such as John Baker, out of Nome, Sebastian Schnuelle and Aaron Burmeister. They were describing other conditions along the trail. Schnuelle described it as brutal, but he said:

At times the wind was blowing so hard out of Shaktoolik that his dog team moved sideways.

Well, when you have about 15 or 16 dogs pulling a loaded sled and a musher and you have winds that are blowing you sideways, you know you are in some weather. He commented further:

First we had snow and wind. Now we have wind and wind.

Well, earlier this afternoon, thousands gathered at the famous burled wood arch on Front Street in Nome, AK, to cheer on Lance Mackey as his dogs carried him to victory over his extremely talented and resilient competitors from all over the world. This is an international race, most absolutely. Lance and his team of canines completed the race a little less than 3 hours short of 10 days.

Imagine yourself standing on the back of sled runners going over mountain ranges, going through ice and snow, in temperatures of 30 below and the wind howling at you. And that is fun, ladies and gentlemen. This is man and dog against Mother Nature, and the best teams sure are winning.

Alaskan newspapers tell a story of Lance's fired-up dog team after taking his only 24-hour break during the race. He broke in a town called Takotna. After the layover was completed—you have to rest for 24 hours, mandatory, because sometimes your teams don't want to rest; they want to keep moving. Well, after this layover was completed, Lance's 16 dogs were barking and pulling at their tug lines like they were leaving the race's starting line. Lance said he had this amazing run, and he was going to put the bale of straw out for the dogs to rest. He had every intention of stopping, but then he sees that his dogs are yelping and barking to get going, so he takes off. He said:

They're telling me what to do. So I dumped the straw, and it's been heaven ever since.

What you have here, with this individual musher, Lance Mackey, who cares so deeply for the health and the condition of these four-legged athletes, is a guy who has shown a great mastery of working with and training these canine athletes for the sport of dog mushing. The Anchorage Daily News last year, when he won, stated:

A musher doesn't win four straight 1,000 mile Yukon Quests and two straight Iditarods by making dogs run. He wins by making dogs want to run.

Lance describes working with his dogs this way: He says:

The biggest challenge working with a large team of dogs is the individual personalities. Like a classroom full of kids, all with issues, wants, questions, some barking wildly to get my attention, and then there are some who just do what needs to be done and require only a nod or a smile. Every dog is different. Every need is different. That is what I love. The reward is seeing them all come together as a team working for a common goal. It's just cool.

I had the opportunity last week—when I was up in the State for the ceremonial start of the Iditarod—to go around and talk with the mushers and see all their teams. I had a chance to see Larry, his lead dog. My favorite is Lippy. I just kind of like the name, but Lippy has great little eyebrows. My favorite picture is with Lippy, but these dogs all have personalities unto themselves. And when they do come together as a team to do these incredible athletic feats, we must acknowledge and respect them.

Lance Mackey continues to impress all of us with his remarkable achievements and record-setting performances. He is an inspiration to others who struggle with cancer. He named his dog kennel up north the Lance Mackey's Comeback Kennel. I think that is most appropriate.

So it is my honor today to stand before the Senate to congratulate Lance Mackey and his team of amazing dogs. Lance is a world-class dog musher and a true Alaskan hero, and I wish him and his team continued success and good health in the future.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that tomorrow morning, March 19, following a period of morning business, the Senate proceed to H.R. 146; that upon the bill being reported, there be 20 minutes of debate equally divided and controlled between Senators BINGAMAN and COBURN or their designees; that upon the use or yielding back of this time, the Senate proceed to vote in relation to the amendments as listed below and that the order with respect to time prior to votes and vote sequencing remain in effect: amendment No. 677, No. 682, No. 683; that upon disposition of all amendments, there be 30 minutes of debate with respect to the bill, equally divided and controlled between Senators BINGAMAN and COBURN or their designees; that upon the use or yielding back of that time, the Senate then proceed as provided for under the order of March 17, with all other provisions remaining in effect.

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

Mr. REID. I ask unanimous consent that upon disposition of H.R. 146, the Senate proceed to a period of morning business with Senators allowed to speak therein for up to 10 minutes each.

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

MORNING BUSINESS

Mr. REID. I ask unanimous consent that we now proceed to a period of morning business.

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

EARMARKS DEBATE

Mr. REID. Mr. President, for several months now we have been discussing earmarks or congressionally directed spending. This body has heard many false charges about earmarks. We have heard that earmarks amount to wasteful spending. We have heard that taxpayers should not support these projects. We have even heard that earmarks don't actually benefit our States.

Fortunately, my constituents understand that the rhetoric on earmarks doesn't match the facts.

Nevadans know that these projects are brought to me by their mayors, council members, and city managers. Nevadans know that, as their Senator, I understand their needs better than a faceless bureaucrat in Washington. And most importantly, Nevadans know how valuable earmarks are in a small State like ours to expand medical services, build infrastructure, and provide other services.

I ask unanimous consent to have printed in the RECORD the following editorial from Las Vegas Review-Journal columnist John L. Smith. Mr. Smith accurately points out the hypocrisy surrounding the earmarking debate and provides examples of many beneficial earmarks for Nevada.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From Las Vegas Review-Journal, Mar. 18, 2009]

JOHN L. SMITH: LET'S DO RIGHT-WING THING AND SEND THAT PORK BACK TO WASHINGTON

Here's your chance, Nevada.

This is your golden opportunity to unfurl old ''Battle Born'' and wave it proudly in the Libertarian breezes.

Come on, all you die-hard conservatives and daffy Obama critics who these days find yourselves chattering endlessly about the evils of pork barrel politics, ''earmarks'' and government waste in general. Take time out from calling into your favorite radio talk show and register your complaint.

This is the time to demand that your local and state officials return the $100 million secured by Senate Majority Leader and Silver State Pork Farmer Supreme Harry Reid in the recent $410 billion federal spending bill. (Meanwhile, Nevada's ''hard-core conservative'' John Ensign voted against the bill after putting his fingerprints on $54 million in earmarks. And he didn't even blush.)

Many conservatives have assailed the latest federal shopping spree for being riddled with ''earmarks'' at a time Congress had supposedly sworn off pork. You can't turn on a television or open a newspaper without running into the criticism.

So here's your chance, Nevada. Demand that your community's portion of the money be returned.

If wicked old Clark County wants to keep its share of the loot, that doesn't preclude the state's rural counties from taking a righteous stand and marking the metaphorical envelopes containing those federal handout checks ''Return to Sender.'' Even if it isn't effective, just think how much publicity your town will generate by tossing that federal handout back into Uncle Sam's face.

Of course, criticizing government waste is easy. Rejecting it when it's your turn at the trough is more difficult. A quick perusal of the particulars of Nevada's $100 million proves this out.

There's $807,500 for the Nevada Fair Housing Foreclosure Effort, and another $507,000 for the Access to Healthcare Network for uninsured Nevadans.

Remember the hepatitis C scandal? There's $523,000 earmarked for the Southern Nevada Health District to fight that battle.

There's nearly $1 million to assist the University of Nevada Health Sciences System nursing program and $856,000 each for the Clark County and Washoe County school districts for dropout prevention.

There's more than $800,000 for University of Nevada, Reno agriculture-related programs, and another $269,000 to help Carson City battle erosion that followed the 2004 Waterfall Fire.

Come on, Carson. Just say no.

While Clark and Washoe counties receive by far the greatest percentage of federal funding for public safety improvements for everything from training facilities to DNA labs, the city of Fernley in Lyon County is due to get $300,000 for law enforcement equipment.

While I've never thought much about the need for invasive weed control, there's $235,000 for those who do at the Nevada Department of Agriculture. Presumably, they'll be controlling invasive weeds somewhere in the middle of Great Basin cattle country.

There's $4.78 million for the Truckee Meadows Flood Control Project, another $2.5 million for Truckee Canal Reconstruction. There's more than $3 million for water treatment at Lake Tahoe and $18 million for ''rural Nevada water infrastructure and water quality projects.''

There's money to study wildlife habitat in central Nevada lakes and to restore the Lahontan cutthroat trout population.

Inside town limits, there's $608,000 to help Wells recover from its earthquake, $150,000 to restore St. Augustine's Church in Austin, $475,000 for the Virginia & Truckee Railroad, $190,000 for the Amargosa Valley Community Center, $300,000 for wastewater treatment in Goldfield, $1.5 million for an interpretive center in Elko, $285,000 for Truckee Meadows Community College low-income student recruitment, and $24,000 to help poor schoolchildren in Lincoln County.

One of my serious favorites is $381,000 for the Nevada Cancer Institute to fund the Hope Coach ''mammovan,'' which will provide cancer screening for women in the state's many rural outposts.

This is a great project, but then I like pork spending.

Don't misunderstand: There's plenty to criticize about earmarks and federal spending. Nevada's list of big government projects made me scratch my head several times.

And there are compelling philosophical arguments to be made against wide-open government checkbooks and big deficits. Frankly, I'll be happy to have that discussion—as soon as lowly, care-worn Nevada finishes getting its share. Until then, I'll refrain from joining the Libertarian chorus.

That's the thing about pork.

It's easy to turn it down until the pig is roasted and the platter is passed to you.

STEM CELL RESEARCH

Mr. KYL. Mr. President, in a recent column for the Washington Post, ''Obama's 'Science' Fiction,'' Charles Krauthammer exposes President Obama's efforts to destabilize the delicate balance between moral concerns over destroying embryonic stem cells and advancing medical research that can be universally accepted.

President Obama's recent decision to authorize expanded and seemingly unlimited Federal funding for stem cell research eviscerates the delicate balance forged by President Bush by forcing taxpayers to support embryonic creation and destruction. Mr. Krauthammer observed that some may ''favor moving that moral line to additionally permit the use of spare fertility clinic embryos,'' but ''President Obama replaced it with no line at all. He pointedly left open the creation of cloned and noncloned sperm-and-egg derived—human embryos solely for the purpose of dismemberment and use for parts.'' What is most concerning to me, and what Mr. Krauthammer succinctly exposes, is that President Obama's new embryonic stem cell policy is devoid of any ethical standards or guidelines. President Obama's decision makes the federal government the final arbiter in a moral argument that defies many Americans' core beliefs about the creation of life.

I ask unanimous consent that his column be printed in the RECORD and I urge my colleagues to consider his thoughtful views.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 13, 2009]

OBAMA'S 'SCIENCE' FICTION

(By Charles Krauthammer)

Last week, the White House invited me to a signing ceremony overturning the Bush (43) executive order on stem cell research. I assume this was because I have long argued in these columns and during my five years on the President's Council on Bioethics that, contrary to the Bush policy, federal funding should be extended to research on embryonic stem cell lines derived from discarded embryos in fertility clinics.

I declined to attend. Once you show your face at these things you become a tacit endorser of whatever they spring. My caution was vindicated.

President Bush had restricted federal funding for embryonic stem cell research to cells derived from embryos that had already been destroyed (as of his speech of Aug. 9, 2001). While I favor moving that moral line to additionally permit the use of spare fertility clinic embryos, President Obama replaced it with no line at all. He pointedly left open the creation of cloned—and noncloned sperm-and-egg-derived—human embryos solely for the purpose of dismemberment and use for parts.

I am not religious. I do not believe that personhood is conferred upon conception. But I also do not believe that a human embryo is the moral equivalent of a hangnail and deserves no more respect than an appendix. Moreover, given the protean power of embryonic manipulation, the temptation it presents to science and the well-recorded human propensity for evil even in the pursuit of good, lines must be drawn. I suggested the bright line prohibiting the deliberate creation of human embryos solely for the instrumental purpose of research—a clear violation of the categorical imperative not to make a human life (even if only a potential human life) a means rather than an end.

On this, Obama has nothing to say. He leaves it entirely to the scientists. This is more than moral abdication. It is acquiescence to the mystique of ''science'' and its inherent moral benevolence. How anyone as sophisticated as Obama can believe this within living memory of Mengele and Tuskegee and the fake (and coercive) South Korean stem cell research is hard to fathom.

That part of the ceremony, watched from the safe distance of my office, made me uneasy. The other part—the ostentatious issuance of a memorandum on ''restoring scientific integrity to government decision-making''—would have made me walk out.

Restoring? The implication, of course, is that while Obama is guided solely by science, Bush was driven by dogma, ideology and politics.

What an outrage. Bush's nationally televised stem cell speech was the most morally serious address on medical ethics ever given by an American president. It was so scrupulous in presenting the best case for both his view and the contrary view that until the last few minutes, the listener had no idea where Bush would come out.

Obama's address was morally unserious in the extreme. It was populated, as his didactic discourses always are, with a forest of straw men. Such as his admonition that we must resist the ''false choice between sound science and moral values.'' Yet, exactly 2 minutes and 12 seconds later he went on to declare that he would never open the door to the ''use of cloning for human reproduction.''

Does he not think that a cloned human would be of extraordinary scientific interest? And yet he banned it.

Is he so obtuse as not to see that he had just made a choice of ethics over science? Yet, unlike Bush, who painstakingly explained the balance of ethical and scientific goods he was trying to achieve, Obama did not even pretend to make the case why some practices are morally permissible and others not.

This is not just intellectual laziness. It is the moral arrogance of a man who continuously dismisses his critics as ideological

while he is guided exclusively by pragmatism (in economics, social policy, foreign policy) and science in medical ethics.

Science has everything to say about what is possible. Science has nothing to say about what is permissible. Obama's pretense that he will ''restore science to its rightful place'' and make science, not ideology, dispositive in moral debates is yet more rhetorical sleight of hand—this time to abdicate decision-making and color his own ideological preferences as authentically ''scientific.''

Dr. James Thomson, the pioneer of embryonic stem cells, said ''if human embryonic stem cell research does not make you at least a little bit uncomfortable, you have not thought about it enough.'' Obama clearly has not.

KENYA

Mr. FEINGOLD. Mr. President, two human rights defenders, Oscar Kamau Kingara and John Paul Oulu, were murdered in the streets of Nairobi, Kenya 2 weeks ago. I was deeply saddened to learn of these murders and join the call of U.S. Ambassador Ranneberger for an immediate, comprehensive and transparent investigation of this crime. At the same time, we cannot view these murders simply in isolation; these murders are part of a continuing pattern of extrajudicial killings with impunity in Kenya. The slain activists were outspoken on the participation of Kenya's police in such killings and the continuing problem of corruption throughout Kenya's security sector. If these and other underlying rule of law problems are not addressed, there is a very real potential for political instability and armed conflict to return to Kenya.

In December 2007, Kenya made international news headlines as violence erupted after its general elections. Over 1,000 people were killed, and the international community, under the leadership of Kofi Annan, rallied to broker a power-sharing agreement and stabilize the government. In the immediate term, this initiative stopped the violence from worsening and has since been hailed as an example of successful conflict resolution. But as too often happens, once the agreement was signed and the immediate threats receded, diplomatic engagement was scaled down. Now over a year later, while the power-sharing agreement remains intact, the fundamental problems that led to the violence in December 2007 remain unchanged. In some cases, they have even become worse.

Last October, the independent Commission of Inquiry on Post-Election Violence, known as the Waki Commission, issued its final report. The Commission called for the Kenyan government to establish a special tribunal to seek accountability for persons bearing the greatest responsibility for the violence after the elections. It also recommended immediate and comprehensive reform of Kenya's police service. Philip Alston, the U.N. Special Rapporteur on extrajudicial killings, echoed that recommendation in his report, which was released last month. Alston found the police had been widely involved in the post-election violence and continue to carry out carefully planned extrajudicial killings. The Special Rapporteur also identified systematic shortcomings and the need for reform in the judiciary and Office of the Attorney General.

Despite these official reports, there has been very little action toward implementing these recommendations. The Kenyan government has not taken steps to establish the special tribunal. The police commissioner and attorney general, both heavily implicated in these problems, remain in their respective posts. Meanwhile, reported scandals involving maize and oil imports suggest that public corruption in Kenya remains pervasive and may be getting worse. This is generating increased public resentment that can easily be exploited by armed militias and turn violent. I am especially worried about these heightened hostilities given the tensions expected to surround Kenya's census, which is scheduled for later this year and the potential for them to flow over into next year's constitutional referendum, and ultimately the 2012 general elections.

There is a lot of talk these days about conflict prevention. I see no greater opportunity for conflict prevention in Africa right now than in Kenya. The international community needs to coordinate its efforts to ensure the Kenyan government addresses these fundamental problems of governance and rule of law. The United States has a key role to play in this regard, especially given our longstanding and historic partnership with Kenya. To that end, I was pleased that FBI Director Robert Mueller visited Kenya 2 weeks ago and delivered a very clear message: ''Public corruption should be a priority for all investigation and prosecution agencies in the country.'' We need to consistently reiterate that message and we need to back it up with concrete actions that both support reform and sanction individuals found guilty of kleptocracy.

In the months ahead, Kenya must get more attention from our senior government officials. I hope the Obama administration's nominee for Assistant Secretary of State for African Affairs will be ready to give it that attention and develop an effective strategy for preventing conflict there. Allowing the status quo to persist will be far more costly in the long run. Kenya is an extremely important country for the stability of the Horn of Africa and East Africa; it is a country of great talent and entrepreneurship, rich history and diversity. With all those strengths, a promising and peaceful future is possible for Kenya and we must help its people to attain it.

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:

Gas prices have not only affected our family for our vehicle but also in heating fuel. We live 15 miles from town and from our jobs, costing us an increase of $400–500 a month. Our heating bills went from $89 to $389 a month. That has had great impact our family. I am sure that it has on many families. Our hope is that our legislators will find us the resources that available to lower the costs. The cost of living is above our wages for many people. Be it the wind and solar power something needs to done. Thank you for your time.

CINDY.

Thanks for the opportunity to comment. I am an architect and travel to construction sites. It is obvious. The cost goes up so I compromise with my clients; the price goes up a little to them and my already slim margin goes down. Everything is affected: transportation costs more so building materials cost more so we get less buildings and infrastructure for our money. My family gets to do less together.

The nonsense is everywhere. In Boise our Mayor wants to reinstitute a street car system. Why not create better bus schedules so people will ride and save billions? The ''environmentalists'' do not want us to recover our own resources because they are looking at the processes of oil, timber and mining of 50 and 100 years ago, not giving credit to the enormous progress those industries have made in their processes.

We have become a nation that consumes exponentially more than it produces. If we do not repair that imbalance, it will consume us destructively! Get the supply side in balance. Use our own resources. Bring much manufacturing home. (The unions have already priced themselves out of the market. They may have to give a little.) Extract our own resources in the environmentally safe and sound ways that are now known. Then do not export our resources.

Lastly, as I have been saying for 20 years, explore and support development of all logical alternative energy sources.

Thanks for the opportunity to do my own pontificating!!

DAVID, *Boise*.

Because all of the food in our area is trucked in the price of groceries is naturally going to go up. I worry about the young people that do not have large incomes and have

families to feed. Please be our voice of reason in this tough time our wages stay the same and everything else rises. Please do not let the rich run this country! Thank you for listening.

SHEILA, *Idaho Falls.*

Build nuclear energy plants.

Open ANWR, Wyoming, Utah and etc. The Great Salt Lake is covering a bed of oil, a little sludgy, but oil just the same, found by the only ''off shore'' rig set up there in the late 70s or early 80s.

Fight for our right to open up our off shore oil possibilities.

Tax incentives for solar energy for hot water, heating homes.

NANCY.

Thank you, Mr. Crapo, for this opportunity. In addition to my suggested impacts/solutions submitted yesterday, in addition to the obvious need to drastically streamline the NRC licensing process for nuclear reactors, perhaps the single largest improvement to dropping the costs of virtually all commodities, including crude oil, take all necessary measures to regain the value of the U.S. dollar. Its record weakness is impacting all market sectors virtually all commodities purchased abroad.

PAUL.

I think you should be pushing with all of your might to ramp up drilling for oil anywhere within our country and offshore. For too long, we have tried the policy of powder puff energy programs, ethanol, and environmentalist-led no drilling mandates. We are now trying to adjust our lives to survive the ''raging successes'' this policy has delivered to the American people. My family, my friends, and I are all getting really mad about this whole situation. It is blatantly obvious that our current policies are total failures. If this cannot be seen by our elected representatives, then maybe we need some new people capable of rational thought.

New technology, new power sources and innovative ways to address our energy needs are embraced and supported by the majority of Americans. However, the same majority fully understands that it will take years, even decades, to transition into these systems. While we are enduring this transition, why punish ourselves with ever-escalating energy costs by squandering our own natural resources.

Last September, I made a wonderful trip to Eastern Europe (former Iron Curtain countries). While enjoying a coffee at an outside café in ''Old Warsaw'', an old Polish gentleman walked up and politely asked if he could sit down and talk to me. He knew we were speaking English but was unsure if we were Americans, Canadians, Australians, etc. When I said we were Americans and he was most welcome to sit down, he was delighted. Without hesitation, he started in on me by saying ''do not you Americans realize that oil is a global commodity''? We all pay the world price per barrel. He continued by saying that we were sitting on a ton of oil resources that we ''smugly'' refuse to develop and thereby raise the price of oil for everybody. Maybe, he said, you guys can afford it but we cannot. ''We Poles simply cannot understand why it is not obvious to you what the production of 2 or 3 million barrels of oil per day by you Americans from your own resources would do to prices and your own reputation around the world''. What could I say? He was right. Before leaving, the old man looked me straight in the eye and said ''remember, no country is so rich that it can afford to squander it is natural resources''.

Drilling is a winner in many ways. By increasing supply we will temper, even lower prices for crude. We will decrease our dependence on hostile foreign suppliers whose production can be disrupted at any time by a few radical people. New, well-paying jobs for Americans will be developed. National security will be advanced by not depending on anyone for our energy needs. Last, but not least, we will always need petroleum. I do not care what energy source drives our cars in the future, they will roll on tires made from petroleum, their bearings and moving parts will be lubricated and cooled by petroleum based products. Our homes will be built with plumbing pipes made from petroleum. The plastics used in cars and untold millions of domestic uses are all petroleum based.

It is finally time we let the radical environmentalists know that we gave them their chance to lead us to the energy promised land and they have failed totally. The environmentalists have always been a noisy bunch while the rational thinkers have sat in the background. This is starting to change; the regular people are getting worked up and involved. Some meaningful new direction is now being demanded. The one thing we have not tried is drill and increase supply along with some new refining capability. We, at last, are getting tired of paying unbelievable prices and sending all the money offshore. We are getting tired of watching a bunch of pompous politicians hold stupid hearings and try to lay the whole problem at the feet of ''Big Oil''. Contrary to popular opinion, we are a little smarter than that. I do not think the politicians realize what absolute fools they are making of themselves. Are we supposed to take our business to ''Little Oil''?

Bottom line, this issue is so big and important, something is going to happen, and you can count on it. Pie in the sky dreams will not make it, business as usual will not make it, and only straight forward policies that address our real energy needs in the shortest possible time will make it. It is popular among the liberal opposition to say that we cannot drill our way out of this problem. Our answer should be that we have tried all of your ideas and things have only gotten worse. It is people like you liberals who say we cannot drill and succeed, why should the average American believe your analysis when you have done nothing but fail in a huge way.

DENNY.

I have no answer to the problem other than I know doing nothing is not the answer. If 80% of Americans are in favor of offshore drilling, then why are we not doing it? I would like to see the government say to auto manufacturer who are building cars in America with only 100% American-made auto parts, build a car that can run with whatever fuel that does not need gas and we will do something to help you. I am 80 years old and not smart enough to know what that is or how to do it but if the incentive was there it would get done and make jobs for Americans.

HAROLD.

I send this letter and information speaking for myself as an individual and not the INL. I am a senior engineer at the Idaho National Laboratory with 19 years of experience working here doing heat transfer modeling. I received a Masters Degree in Mechanical Engineering from BYU in 1989. I just recently submitted a patent to the U.S. patent office through the INL concerning a method to create all of our liquid transportation fuels with a new process we are researching. The process uses high temperature steam electrolysis (HTSE) to produce hydrogen, with electricity supplied by non-fossil power plants. Biomass is used as the carbon source and heat source for this cycle. When combining the biomass gasification products with the hydrogen produced from HTSE, liquid hydrocarbon fuels can be created with such processes as the Fischer-Tropsch process. With this process, we could make 13 million barrels of liquid hydrocarbon transportation fuel each day that would go along with 7 million barrels produced from U.S. oil supplies for the total of 20 million barrels per day that we currently use. This means that we would not need to import any oil from anyone. The success of this process includes a huge amount of fossil-free electricity. This can only be done with several hundred large nuclear electricity power plants. These plants do not need to be the NGNP or GEN–IV plants, but would be beneficial if they are. The biomass gasification would supply the heat source for the HTSE. We do not need an NGNP to supply the heat source for the HTSE. This process converts more than 90% of the carbon in the biomass to liquid fuels, while cellulosic ethanol converts only 30%.

I am absolutely convinced after many years of thinking about this that this will solve our nation's energy problems. In order to accomplish this feat, the following needs to occur:

(1) Increase the DOE funding for researching this promising cycle by:

(a) Analyze, Develop, and Build a small scale version of this production facility using Eastern Idaho biomass and create liquid hydrocarbon transportation fuels.

(b) Drastically increase the funding for High Temperature Steam Electrolysis performance, reliability, mass production, and cost.

(c) Send funding to solve the nuclear fuel cycle for recycling nuclear waste.

(2) With this huge increase in electrical power production capacity, drastically increase the fleet of U.S. vehicles using the plug-in hybrid methodology. These plug-in hybrids solve our social need to be able to use electricity for short trips to work each day, or liquid hydrocarbon fuels in a long trip across the country. These are absolutely the way to go as they are very fuel efficient and let us keep our wonderful life-style that we enjoy here in America.

(3) Absolutely under no circumstance invoke the ''carbon tax''. This will only send money from the rich nations to the poor nations. If I ever hear anyone use the phrase ''carbon tax'' again, it shows how uneducated they are on this topic. The only source of carbon to the earth's atmosphere is the combustion of fossil fuels. This is a one way street for the carbon from underground to the earth's atmosphere where it will stay for many hundreds if not thousands of years. This phrase needs to be renamed ''fossil tax''. You can only tax people that take the carbon out of the ground and sell it to be combusted and put in the atmosphere. All of the other carbon in the world like ethanol production needs to be left alone, because it only recycles carbon from the atmosphere back to the atmosphere again.

Thank you for your attention to this email. I would dearly love to go over all of this with you in person. Please let me know how we can meet together.

GRANT.

I thank you for the opportunity to share with you my views on climate change. My husband and I recently made the decision for me to stay home with our 9-month-old daughter. Even though this has impacted our monthly income, we nevertheless feel the increased fuel prices are a good thing for our nation. It is about time we start paying the real price of oil. When I hear stories of friends selling their trucks for smaller cars, I grin ear-to-ear. For me, the high prices have caused me to limit my trips to town

and purchase more goods online (especially from sites where the shipping is free). For my husband, he will begin commuting to work by bike two days/week. The concept of drilling for more domestic oil is a Band-aid approach to our need for more oil. We would not see the results for years and they would only be short-lived. Instead, states should be focused on building city infrastructure and public transportation systems to accommodate the new reality of high fuel prices. As a nation, we should provide incentives for alternative energy research. As a resident of Boise, I am more than willing to utilize the bus system. However, Valley Ride severely lacks what the Treasure Valley would need to make it an appealing option. I came from a city where I utilized two forms of public transportation a day (bus and light rail). It was a inconvenient in some ways but mostly wonderful considering I saved on gas money, read my book and felt great about doing 'my part' to help the environment. Besides helping residents, a new and innovative public transportation system appeals to those visiting our beautiful valley as well. Our infrastructure and public transportation system in the Treasure Valley lacks the innovation, efficiency and foresight to become a real option for those feeling the crunch of high gas prices. It is too bad that as a nation, state, and county we are so reactive to issues like this rather than leaders! Why not address the local changes that we can make right here and now that will only continue to benefit and serve us going forward?

ALLISON, *Boise*.

Thank you for giving me the opportunity to tell how the rising cost of gasoline is affecting my family. Just yesterday, I had to cancel reservations I had made back in March for a family vacation to the Oregon Coast in September. This ''yurt'' vacation was going to be the highlight of our year. In fact, we had been planning it since early in March. Already living on a tight budget, this simple vacation would have been an extravagance for us. But I was only able to budget up to $4 a gallon for gas. Now that the price of gas has reached the $4 mark and is expected to be much higher by September, we had no choice but to cancel. We will be taking a ''staycation'' instead.

My husband and I share one automobile and are already conservative with our driving. Most days, he drives from our house to the nearest bus stop (about 3 miles) to take a crowded bus to work in downtown Boise. On the one to two days a week that I need the car to drive to work, I have to get him to and from the bus. We have been doing this for over a year now. Our budget already required this of us when gas prices were under $3 a gallon. We seem to have no other way to cut back. My husband has been trying to get a job near where we live which would enable him to ride his bicycle to work but, so far, he hasn't been able to. For us, driving less to save dollars at the pump means giving up some time we would usually spend visiting with family and friends, most of whom live 30 miles from us.

Perhaps the biggest way this has affected my family is that we have continued to be unable to afford health insurance. Though my husband has had a couple of good raises over the past year and a half (and is insured through his employer), those raises were eaten up in rising fuel and grocery prices. So, I have been unable to budget in the nearly $400 month it would cost to put myself and our two boys on health insurance.

Again, thank you for this opportunity!

SUSAN, *Meridian*.

I do not know if this will really help you, but anything is worth a try, especially for the whole of the United States.

My story begins about a year ago, when I discovered I was pregnant. My husband is blind! He receives SSI. Because of this, if I work fulltime and gross $1,400 in a month, the United States government takes away his SSI. OK, no problem. If I claim our daughter and my husband, then not enough taxes will be taken out, and I will owe at the end of the year and struggle to pay what I will owe. If I do not claim our daughter and my husband, then to survive every month will be a challenge because my net income (take home) will be roughly half and then that leaves little to pay the bills (as if we have enough now). So I work parttime, and we still cannot pay all our bills.

Our electricity bill was over $200 in one month, during this last winter. With our daughter being a newborn, we just did not want to risk the temperature lower than 65 degrees, which is where we kept our thermostat, just to try to keep the electric bill down. We did receive energy assistance; that helped. However we are still behind in our electric bill, and, to be perfectly honest with you, if I was to work fulltime, I could not afford the fuel in the car. My car is a 1989 GEO Tracker which gets up to 25–28 miles per gallon. So where does that leave my husband, our daughter and me? Broke and completely reliant on the government to survive, especially with the cost of food going up. Our $900 stimulus check is not going to the economy; it is going to pay credit card debt, just as my income tax return did.

Well, hopefully this will help you in your fight on Capitol Hill.

CHRISSY, *Sagle*.

ADDITIONAL STATEMENTS

RECOGNIZING DUKE EYE CENTER

• Mr. BURR. Mr. President, today I recognize the Duke Eye Center in North Carolina for its determined efforts to promote awareness, treatment, and prevention of glaucoma. Glaucoma, an optic nerve disease, is the leading cause of incurable blindness in the United States. Worldwide, 70 million people suffer from the disease, 2.2 million of those in the United States. Because the disease does not usually show signs until the point that irreversible vision loss occurs, the development of early detection and prevention strategies is imperative.

We recently observed World Glaucoma Day, on March 12, 2009. In light of this important observance, I express my thanks for the researchers and staff at the Duke Eye Center, who are devoted to the task of uncovering the cause of glaucoma. Historically, most research and treatment has focused on reducing elevated pressure within the eye. However, not everyone with glaucoma has elevated pressure, and not everyone with elevated pressure develops glaucoma. Researchers at the Duke Eye Center are working diligently to uncover other possible causes of the disease. Researchers and clinicians have excellent working relationships, collaborating on genomics, oxidative stress, and even links to Alzheimer's disease. They are performing cutting edge research, while at the same time delivering cutting edge patient care.

In 2008, Ophthalmology Times ranked the Duke Eye Center fourth best among U.S. ophthalmology programs. I applaud their hard work and achievements in the diagnosis, treatment, and prevention of glaucoma.•

HONORING BANCROFT CONTRACTING CORPORATION

• Ms. SNOWE. Mr. President, today I wish to recognize a Maine small enterprise that epitomizes the values and commitment necessary to excel not only as a business, but also as a leader in the community. Bancroft Contracting Corporation, located in the western Maine town of South Paris, is one of the leading general contractors in Maine, and does superb work in industrial and commercial markets throughout New England. I am extremely proud to report that the Small Business Administration has named Bancroft's president, Mark A. Bancroft, the 2009 Maine Small Business Person of the Year.

Bancroft Contracting is a second-generation, family-owned company that provides a wide range of construction and industrial maintenance services to an array of diverse markets. Founded in 1977 by Al Bancroft, the firm's customers include pulp and paper manufacturers, power-generating companies, State transportation departments, and cement and plastics manufacturers. Additionally, Bancroft Contracting supplies thousands of cubic yards of reinforced concrete every season for a variety of projects that include dams, bridges, and large commercial foundations. The company employs more than 130 construction professionals in the winter months and upwards of 200 in the summer. Bancroft's employees represent a wide spectrum of construction professions, from structural welders and pipe fitters, to riggers and ironworkers, and they all possess an extraordinary level of expertise in their specialized areas.

Bancroft Contracting prides itself on relationship-based customer service, and the company responds diligently to all customer requests in a prompt and efficient manner. In a similar vein, Bancroft takes care to contribute significantly to the well-being of the western Maine community. Organizations and institutions that have benefited from Bancroft's generous contributions and services over the years include the University of Maine, the area school department, the Boy Scouts, various local sports teams, Kiwanis, and the Rotary Club.

As Bancroft's president for the past 7 years, Mark Bancroft has had a significant impact on the company's direction. He is a graduate of the construction management technology program in the School of Engineering Technology at the University of Maine. Notable, he started his tenure at Bancroft Contracting at the age of 14 and continued working for the company throughout high school and college. Mr. Bancroft learned the business at an early age and received critical training

from many of the company's skilled craftsmen.

Mr. Bancroft's desire to roll up his sleeves and his ability to understand the business from the ground up has earned him the respect of both his employees and customers alike. Before becoming president in 2002, he worked in a variety of capacities throughout the years, serving as a project manager, human resources manager, operations manager, and vice president of operations. It is this intricate knowledge of the business, along with his distinguished leadership, that has resulted in Bancroft's tremendous 19 percent growth over the last 3 years, defying the downward trend of too many firms during these difficult economic times.

Additionally, Mr. Bancroft serves on several boards of trustees and directors, including, the Paris Utility District, University of Maine Construction Management Technology Industrial Advisory Council, Associated General Contractors of America Education Foundation Trust, and Self Insured Workers Compensation Group Trust. And just last week, Mr. Bancroft was elected chair of the Associated General Contractors of Maine.

On a personal note, in the winter of 2008, Mr. Bancroft donated the use of a crane and several employees to the town of Bethel to help the community construct Olympia SnowWoman. This architectural feat is now in the ''Guinness Book of World Records'' as the largest snowwoman at 122 feet and 1 inch tall—and what a record to hold! I am proud that Mr. Bancroft played such an integral part in a project that brought a great sense of community pride to Bethel and to Maine.

It is my distinct honor to congratulate Mark Bancroft, an immensely deserving individual, as the SBA's 2009 Small Business Person of the Year in Maine, and I extend my best wishes to everyone at Bancroft Contracting for their continued success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:37 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 628. An act to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges.

H.R. 955. An act 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. 1323. An act to require the Archivist of the United States to promulgate regulations regarding the use of information control designations, and for other purposes.

H.R. 1429. An act to provide for an effective HIV/AIDS program in Federal prisons.

H.R. 1512. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 628. An act to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges; to the Committee on the Judiciary.

H.R. 955. An act 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''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1323. An act to require the Archivist of the United States to promulgate regulations regarding the use of information control designations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1429. An act to provide for an effective HIV AIDS program in Federal prisons; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources:

Special Report entitled ''History, Jurisdiction, and a Summary of Activities of the Committee on Energy and Natural Resources During the 110th Congress'' (Rept. No. 111–8).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 146. A bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads (Rept. No. 111–9).

By Ms. MIKULSKI, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

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.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. BINGAMAN for the Committee on Energy and Natural Resources.

*David J. Hayes, of Virginia, to be Deputy Secretary of the Interior.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. KOHL:

S. 627. A bill to authorize the Secretary of Education to make grants to support early college high schools and other dual enrollment programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CONRAD (for himself, Mr. BROWNBACK, Ms. COLLINS, Mr. JOHNSON, and Mrs. MURRAY):

S. 628. A bill to provide incentives to physicians to practice in rural and medically underserved communities; to the Committee on the Judiciary.

By Ms. COLLINS (for herself, Mr. VOINOVICH, and Mr. KOHL):

S. 629. A bill to facilitate the part-time reemployment of annuitants, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. WHITEHOUSE, and Mr. SESSIONS):

S. 630. A bill to make technical amendments to laws containing time periods affecting judicial proceedings; to the Committee on the Judiciary.

By Mr. KOHL (for himself, Ms. COLLINS, Mr. COCHRAN, Mr. KERRY, Mr. WHITEHOUSE, Mr. BINGAMAN, Mr. LEVIN, Mr. CASEY, Mrs. LINCOLN, Ms. KLOBUCHAR, Ms. STABENOW, and Mr. BAYH):

S. 631. A bill to provide for nationwide expansion of the pilot program for national and State background checks on direct patient access employees of long-term care facilities or providers; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. CRAPO, Mrs. LINCOLN, Ms. SNOWE, Mr. ROBERTS, Mr. ENZI, and Mr. ENSIGN):

S. 632. A bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. BAUCUS, Mr. JOHNSON, Mr. BINGAMAN, and Mr. DORGAN):

S. 633. A bill to establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, and for other purposes; to the Committee on Indian Affairs.

By Mr. HARKIN:

S. 634. A bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY:

S. 635. A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself, Mr. TESTER, and Mr. CHAMBLISS):

S. 636. A bill to amend the Clean Air Act to conform the definition of renewable biomass to the definition given the term in the Farm Security and Rural Investment Act of 2002; to the Committee on Environment and Public Works.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 637. A bill to authorize the construction of the Dry-Redwater Regional Water Authority System in the State of Montana and a portion of McKenzie County, North Dakota, for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. CANTWELL:

S. Res. 76. A resolution expressing the sense of the Senate that the United States and the People's Republic of China should work together to reduce or eliminate tariff and nontariff barriers to trade in clean energy and environmental goods and services; to the Committee on Finance.

By Ms. CANTWELL (for herself and Mr. VOINOVICH):

S. Res. 77. A resolution expressing the sense of the Senate that the United States and the People's Republic of China should negotiate a bilateral agreement on clean energy cooperation; to the Committee on Foreign Relations.

By Mr. CHAMBLISS (for himself and Ms. LANDRIEU):

S. Res. 78. A resolution designating March 22, 2009, as ''National Rehabilitation Counselors Appreciation Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. REID, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 21, a bill to reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 144

At the request of Mr. KERRY, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Alabama (Mr. SESSIONS), the Senator from Oklahoma (Mr. INHOFE) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 144, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 180

At the request of Mr. BENNET, his name was added as a cosponsor of S. 180, a bill to establish the Cache La Poudre River National Heritage Area, and for other purposes.

S. 183

At the request of Mr. BENNET, his name was added as a cosponsor of S. 183, a bill to establish the Dominguez-Escalante National Conservation Area and the Dominguez Canyon Wilderness Area.

S. 184

At the request of Mr. BENNET, his name was added as a cosponsor of S. 184, a bill to authorize the Secretary of the Interior to carry out the Jackson Gulch rehabilitation project in the State of Colorado.

S. 185

At the request of Mr. BENNET, his name was added as a cosponsor of S. 185, a bill to establish the Sangre de Cristo National Heritage Area in the State of Colorado, and for other purposes.

S. 186

At the request of Mr. BENNET, his name was added as a cosponsor of S. 186, a bill to establish the South Park National Heritage Area in the State of Colorado, and for other purposes.

S. 187

At the request of Mr. UDALL of Colorado, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 187, a bill to provide for the construction of the Arkansas Valley Conduit in the State of Colorado.

S. 188

At the request of Mr. UDALL of Colorado, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 188, a bill to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, and for other purposes.

S. 189

At the request of Mr. UDALL of Colorado, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 189, a bill to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, and for other purposes.

S. 190

At the request of Mr. UDALL of Colorado, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 190, a bill to designate as wilderness certain land within the Rocky Mountain National Park and to adjust the boundaries of the Indian Peaks Wilderness and the Arapaho National Recreation Area of the Arapaho National Forest in the State of Colorado.

S. 191

At the request of Mr. BENNET, his name was added as a cosponsor of S. 191, a bill to amend the Great Sand Dunes National Park and Preserve Act of 2000 to explain the purpose and provide for the administration of the Baca National Wildlife Refuge.

S. 243

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 243, a bill to amend the Internal Revenue Code of 1986 to allow the Secretary of the Treasury to establish the standard mileage rate for use of a passenger automobile for purposes of the charitable contributions deduction and to exclude charitable mileage reimbursements for gross income.

S. 277

At the request of Mr. REED, 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.

At the request of Mr. CASEY, his name was added as a cosponsor of S. 277, supra.

At the request of Mr. BYRD, his name was added as a cosponsor of S. 277, supra.

S. 407

At the request of Mr. AKAKA, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 407, a bill to increase, effective as of December 1, 2009, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 423

At the request of Mr. AKAKA, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor 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. 462

At the request of Mrs. BOXER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) 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 Maryland (Mr. CARDIN) and the Senator from West Virginia (Mr. BYRD) 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. 484

At the request of Mrs. FEINSTEIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 484, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 491

At the request of Mr. WEBB, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 491, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 506

At the request of Mr. LEVIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 506, a bill to restrict the use of offshore tax havens and abusive tax shelters to inappropriately avoid Federal taxation, and for other purposes.

S. 511

At the request of Mr. BROWNBACK, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 511, a bill to amend part B of title XVIII of the Social Security Act to provide for an exemption of pharmacies and pharmacists from certain Medicare accreditation requirements in the same manner as such exemption applies to certain professionals.

S. 527

At the request of Mr. THUNE, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Iowa (Mr. GRASSLEY) 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. 528

At the request of Mr. WHITEHOUSE, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 528, a bill to prevent voter caging.

S. 535

At the request of Mr. NELSON of Florida, the names of the Senator from West Virginia (Mr. BYRD) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 542

At the request of Mr. REID, the name of the Senator from Florida (Mr. NELSON) 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.

S. 546

At the request of Mr. REID, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of 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.

S. 572

At the request of Mr. WEBB, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 572, a bill to provide for the issuance of a ''forever stamp'' to honor the sacrifices of the brave men and women of the armed forces who have been awarded the Purple Heart.

S. 599

At the request of Ms. COLLINS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 599, a bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any certain diseases is the result of the performance of such employee's duty.

S. 611

At the request of Mr. LAUTENBERG, the names of the Senator from California (Mrs. BOXER), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 611, a bill to provide for the reduction of adolescent pregnancy, HIV rates, and other sexually transmitted diseases, and for other purposes.

S. 620

At the request of Mr. REID, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 620, a bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

S. RES. 49

At the request of Mr. LUGAR, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Res. 49, a resolution to express the sense of the Senate regarding the importance of public diplomacy.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KOHL:

S. 627. A bill to authorize the Secretary of Education to make grants to support early college high schools and other dual enrollment programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. KOHL. Mr. President, today I am doing my part to end the growing crisis of high school dropouts. I am introducing the Fast Track to College Act, a bill to increase high school graduation rates and improve access to college through the expansion of dual enrollment programs and Early College High Schools. Such programs allow young people to earn up to two years of college credit, including an Associate's degree, while also earning their high school diploma.

As our country struggles with an economic recession, I believe we must continue to invest in our public schools. While we must carefully consider how taxpayer dollars are spent during these trying times, education is one of the wisest investments we can make, and it is an investment that must be made now, before our children fall farther behind.

Education provides an outstanding return on investment for taxpayers, and it builds the foundation for future economic growth. Young people who drop out of high school are at increased risk for unemployment and incarceration, and they are more likely to depend on public assistance for healthcare, housing, and other basic needs. Conversely, adults with a bachelor's degree will earn two-thirds more than a high school graduate over the course of their working lives, and they are much less likely to experience unemployment or rely on social programs.

Our Nation's future depends on how we respond to the growing crisis in our schools, especially the rising number of high school dropouts. This generation of Americans is the first in history to be less likely to graduate from high school than their parents, and the U.S. is the only industrialized Nation where that is the case. This is not a sustainable trend if we hope to remain powerful and prosperous. Recent reports have illustrated the enormous challenge: the national graduation rate is only 70 percent, and is significantly lower in many large urban school districts. For example, my home state of Wisconsin has a relatively high graduation rate of 86 percent, but that rate drops to only 46 percent in the urban schools in Milwaukee. Such an achievement gap cannot continue.

As we work to reauthorize the No Child Left Behind Act, we must find solutions to the growing dropout crisis and provide opportunities for young people to pursue higher education. More funding is not the only answer for the problems in our schools—we must also reform our whole approach to education. We must ensure that young people are being equipped with the skills they need to compete in a 21st century economy. In particular, we can no longer view a high school diploma as a satisfactory goal for students. In today's world, students need at least two years of college or technical education in order to secure a well-paying job and provide for themselves and their families.

That is why I ask my colleagues to support this bill, which provides competitive grant funding for Early College High Schools and other dual enrollment programs that allow low-income students to earn college credit and a high school diploma at the same time. These programs put students on the fast track to college and increase the odds that they will not only graduate, but go on to continue their education and secure higher-paying jobs. The Gates Foundation has been funding evaluations of such programs for several years now, and they have shown incredible promise as a tool for increasing attendance, graduation, and college enrollment rates, particularly among low-income high school students. Students are motivated by a challenging curriculum and the tangible rewards of achievement, including free college credit and exposure to career opportunities. This free college credit is critically important, especially in this economy, as family savings dwindle and tuition costs continue

to rise. Dual enrollment programs can provide just enough costs savings to make college affordable, especially for low and middle-income families who might think it is out of their reach.

Specifically, this bill authorizes $140,000,000 for competitive 6-year grants to schools, with priority given to schools that serve low-income students. The funding will help defray the costs of implementing new programs, strengthening existing programs, and providing students and teachers with the resources they need to succeed in early college high schools and other dual enrollment programs. The bill also includes $10 million for states to provide support for these programs, as well as an evaluation component so we can measure the program's effectiveness.

I am proud to sponsor this legislation because I believe this investment in our schools will help solve the dropout crisis and secure America's future by ensuring that all young people can compete in today's global economy. Further, I believe that all children, regardless of income or other factors, deserve equal opportunities to fulfill their potential, and it is both morally and fiscally responsible for this Congress to invest in high-quality educational programs that help them reach that potential.

While our country faces unprecedented challenges at this moment in history, I believe we also face incredible opportunities to shape our future. I look forward to working with my colleagues in the Congress to reinvest in a world-class education system that will move our country forward into the 21st century.

I urge my colleagues to support this important 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. 627

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 ''Fast Track to College Act of 2009''.

SEC. 2. PURPOSE.

The purpose of this Act is to increase high school graduation rates and the percentage of students who complete a recognized postsecondary credential by the age of 26, including among low-income students and students from other populations underrepresented in higher education.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) DUAL ENROLLMENT PROGRAM.—The term ''dual enrollment program'' means an academic program through which a high school student is able simultaneously to earn credit toward a high school diploma and a postsecondary degree or certificate.

(2) EARLY COLLEGE HIGH SCHOOL.—The term ''early college high school'' means a high school that provides a course of study that enables a student to earn a high school diploma and either an associate's degree or one to two years of college credit toward a postsecondary degree or credential.

(3) EDUCATIONAL SERVICE AGENCY.—The term ''educational service agency'' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(4) ELIGIBLE ENTITY.—The term ''eligible entity'' means a local educational agency, which may be an educational service agency, in a collaborative partnership with an institution of higher education. Such partnership also may include other entities, such as a nonprofit organization with experience in youth development.

(5) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101 of the Higher Education Act of 1965.

(6) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(8) LOW-INCOME STUDENT.—The term ''low-income student'' means a student described in section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(5)).

SEC. 4. AUTHORIZATION OF APPROPRIATIONS; RESERVATIONS.

(a) IN GENERAL.—To carry out this Act, there are authorized to be appropriated $150,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2015.

(b) EARLY COLLEGE HIGH SCHOOLS.—The Secretary shall reserve not less than 45 percent of the funds appropriated under subsection (a) to support early college high schools under section 5.

(c) OTHER DUAL ENROLLMENT PROGRAMS.—The Secretary shall reserve not less than 45 percent of such funds to support other dual enrollment programs under section 5.

(d) STATE GRANTS.—The Secretary shall reserve 10 percent of such funds, or $10,000,000, whichever is less, for grants to States under section 9.

SEC. 5. AUTHORIZED PROGRAM.

(a) IN GENERAL.—The Secretary is authorized to award six-year grants to eligible entities seeking to establish a new, or support an existing, early college high school or other dual enrollment program.

(b) GRANT AMOUNT.—The Secretary shall ensure that grants are of sufficient size to enable grantees to carry out all required activities and otherwise meet the purposes of this Act, except that a grant under this section may not exceed $2,000,000.

(c) MATCHING REQUIREMENT.—

(1) IN GENERAL.—An eligible entity shall contribute matching funds toward the costs of the early college high school or other dual enrollment program to be supported under this section, of which not less than half shall be from non-Federal sources, which funds shall represent not less than the following:

(A) 20 percent of the grant amount received in each of the first and second years of the grant.

(B) 30 percent in each of the third and fourth years.

(C) 40 percent in the fifth year.

(D) 50 percent in the sixth year.

(2) DETERMINATION OF AMOUNT CONTRIBUTED.—The Secretary shall allow an eligible entity to satisfy the requirement of this subsection through in-kind contributions.

(d) SUPPLEMENT, NOT SUPPLANT.—An eligible entity shall use a grant received under this section only to supplement funds that would, in the absence of such grant, be made available from non-Federal funds for support of the activities described in the eligible entity's application under section 7, and not to supplant such funds.

(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applicants—

(1) that propose to establish or support an early college high school or other dual enrollment program that will serve a student population of which 40 percent or more are students counted under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(5)); and

(2) from States that provide assistance to early college high schools or other dual enrollment programs, such as assistance to defray the costs of higher education, such as tuition, fees, and textbooks.

(f) GEOGRAPHIC DISTRIBUTION.—The Secretary shall, to the maximum extent practicable, ensure that grantees are from a representative cross-section of urban, suburban, and rural areas.

SEC. 6. USES OF FUNDS.

(a) MANDATORY ACTIVITIES.—An eligible entity shall use grant funds received under section 5 to support the activities described in its application under section 7, including the following:

(1) PLANNING YEAR.—In the case of a new early college high school or other dual enrollment program, during the first year of the grant—

(A) hiring a principal and staff, as appropriate;

(B) designing the curriculum and sequence of courses in collaboration with, at a minimum, teachers from the local educational agency and faculty from the partner institution of higher education;

(C) informing parents and the community about the school or program and opportunities to become actively involved in the school or program;

(D) establishing a course articulation process for defining and approving courses for high school and college credit;

(E) outreach programs to ensure that middle and high school students and their families are aware of the school or program;

(F) liaison activities among partners in the eligible entity; and

(G) coordinating secondary and postsecondary support services, academic calendars, and transportation.

(2) IMPLEMENTATION PERIOD.—During the remainder of the grant period—

(A) academic and social support services, including counseling;

(B) liaison activities among partners in the eligible entity;

(C) data collection and use of such data for student and instructional improvement and program evaluation;

(D) outreach programs to ensure that middle and high school students and their families are aware of the early college high school or other dual enrollment program;

(E) professional development, including joint professional development for secondary school personnel and faculty from the institution of higher education; and

(F) school or program design and planning team activities, including curriculum development.

(b) ALLOWABLE ACTIVITIES.—An eligible entity may also use grant funds received under section 5 otherwise to support the activities described in its application under section 7, including—

(1) purchasing textbooks and equipment that support the curriculum of the early college high school or other dual enrollment program;

(2) developing learning opportunities for students that complement classroom experiences, such as internships, career-based capstone projects, and opportunities to participate in the activities provided under chapters 1 and 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–11 et seq., 1070a–21 et seq.);

(3) transportation; and

(4) planning time for high school and college educators to collaborate.

SEC. 7. APPLICATION.

(a) IN GENERAL.—To receive a grant under section 5, an eligible entity shall submit to the Secretary an application at such time, in such manner, and including such information as the Secretary determines to be appropriate.

(b) CONTENTS OF APPLICATION.—At a minimum, the application described in subsection (a) shall include a description of—

(1) the budget of the early college high school or other dual enrollment program;

(2) each partner in the eligible entity and its experience with early college high schools or other dual enrollment programs, key personnel from each partner and such personnel's responsibilities for the school or program, and how the eligible entity will work with secondary and postsecondary teachers, other public and private entities, community-based organizations, businesses, labor organizations, and parents to ensure that students will be prepared to succeed in postsecondary education and employment, which may include the development of an advisory board;

(3) how the eligible entity will target and recruit at-risk youth, including those at risk of dropping out of school, first generation college students, and students from populations described in section 1111(b)(2)(C)(v)(II) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(v)(II);

(4) a system of student supports, including small group activities, tutoring, literacy and numeracy skill development in all academic disciplines, parental and community outreach and engagement, extended learning time, and college readiness activities, such as early college academic seminars and counseling;

(5) in the case of an early college high school, how a graduation and career plan will be developed, consistent with State graduation requirements, for each student and reviewed each semester;

(6) how parents or guardians of students participating in the early college high school or other dual enrollment program will be informed of the students' academic performance and progress and, subject to paragraph (5), involved in the development of the students' career and graduation plans;

(7) coordination between the institution of higher education and the local educational agency, including regarding academic calendars, provision of student services, curriculum development, and professional development;

(8) how the eligible entity will ensure that teachers in the early college high school or other dual enrollment program receive appropriate professional development and other supports, including to enable the teachers to utilize effective parent and community engagement strategies, and help English-language learners, students with disabilities, and students from diverse cultural backgrounds to succeed;

(9) learning opportunities for students that complement classroom experiences, such as internships, career-based capstone projects, and opportunities to participate in the activities provided under chapters 1 and 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–11 et seq., 1070a–21 et seq.);

(10) how policies, agreements, and the courses in the program will ensure that postsecondary credits earned will be transferable to, at a minimum, public institutions of higher education within the State, consistent with existing statewide articulation agreements;

(11) student assessments and other measurements of student achievement, including benchmarks for student achievement;

(12) outreach programs to provide elementary and secondary school students, especially those in middle grades, and their parents, teachers, school counselors, and principals information about and academic preparation for the early college high school or other dual enrollment program;

(13) how the local educational agency and institution of higher education will work together, as appropriate, to collect and use data for student and instructional improvement and program evaluation;

(14) how the eligible entity will help students meet eligibility criteria for postsecondary courses and ensure that students understand how their credits will transfer; and

(15) how the eligible entity will access and leverage additional resources necessary to sustain the early college high school or other dual enrollment program after the grant expires, including by engaging businesses and non-profit organizations.

(c) ASSURANCES.—An eligible entity's application under subsection (a) shall include assurances that—

(1) in the case of an early college high school, the majority of courses offered, including of postsecondary courses, will be offered at facilities of the institution of higher education;

(2) students will not be required to pay tuition or fees for postsecondary courses offered as part of the early college high school or other dual enrollment program;

(3) postsecondary credits earned will be transcribed upon completion of the requisite coursework; and

(4) faculty teaching such postsecondary courses meet the normal standards for faculty established by the institution of higher education.

(d) WAIVER.—The Secretary may waive the requirement of subsection (c)(1) upon a showing that it is impractical to apply due to geographic considerations.

SEC. 8. PEER REVIEW.

(a) PEER REVIEW OF APPLICATIONS.—The Secretary shall establish peer review panels to review applications submitted pursuant to section 7 to advise the Secretary regarding such applications.

(b) COMPOSITION OF PEER REVIEW PANELS.—The Secretary shall ensure that each peer review panel is not comprised wholly of full-time officers or employees of the Federal Government and includes, at a minimum—

(1) experts in the establishment and administration of early college high schools or other dual enrollment programs from the secondary and postsecondary perspective;

(2) faculty at institutions of higher education and secondary school teachers with expertise in dual enrollment; and

(3) experts in the education of at-risk students.

SEC. 9. GRANTS TO STATES.

(a) IN GENERAL.—The Secretary is authorized to award five-year grants to State agencies responsible for secondary or postsecondary education for efforts to support or establish early college high schools or other dual enrollment programs.

(b) GRANT AMOUNT.—The Secretary shall ensure that grants are of sufficient size to enable grantees to carry out all required activities.

(c) MATCHING REQUIREMENT.—A State shall contribute matching funds from non-Federal sources toward the costs of carrying out activities under this section, which funds shall represent not less than 50 percent of the grant amount received in each year of the grant.

(d) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to States that provide assistance to early college high schools or other dual enrollment programs, such as assistance to defray the costs of higher education, such as tuition, fees, and textbooks.

(e) APPLICATION.—To receive a grant under this section, a State agency shall submit to the Secretary an application at such time, in such manner, and including such information as the Secretary determines to be appropriate.

(f) CONTENTS OF APPLICATION.—At a minimum, the application described in subsection (e) shall include—

(1) how the State will carry out all of the required State activities described in subsection (g);

(2) how the State will identify and eliminate barriers to implementing effective early college high schools and other dual enrollment programs after the grant expires, including by engaging businesses and non-profit organizations;

(3) how the State will access and leverage additional resources necessary to sustain early college high schools or other dual enrollment programs; and

(4) such other information as the Secretary determines to be appropriate.

(g) STATE ACTIVITIES.—A State receiving a grant under this section shall use such funds for—

(1) creating outreach programs to ensure that middle and high school students, their families, and community members are aware of early college high schools and other dual enrollment programs in the State;

(2) planning and implementing a statewide strategy for expanding access to early college high schools and other dual enrollment programs for students who are underrepresented in higher education to raise statewide rates of high school graduation, college readiness, and completion of postsecondary degrees and credentials, with a focus on at-risk students, including identifying any obstacles to such a strategy under State law or policy;

(3) providing technical assistance to early college high schools and other dual enrollment programs, such as brokering relationships and agreements that forge a strong partnership between elementary and secondary and postsecondary partners;

(4) identifying policies that will improve the effectiveness and ensure the quality of early college high schools and other dual enrollment programs, such as access, funding, data and quality assurance, governance, accountability, and alignment policies;

(5) planning and delivering statewide training and peer learning opportunities for school leaders and teachers from early college high schools and other dual enrollment programs, which may include providing instructional coaches who offer on-site guidance;

(6) disseminating best practices in early college high schools and other dual enrollment programs from across the State and from other States; and

(7) facilitating Statewide data collection, research and evaluation, and reporting to policymakers and other stakeholders.

SEC. 10. REPORTING AND OVERSIGHT.

(a) REPORTING BY GRANTEES.—

(1) IN GENERAL.—The Secretary shall establish uniform guidelines for all grantees concerning information such grantees annually

shall report to the Secretary to demonstrate a grantee's progress toward achieving the goals of this Act.

(2) CONTENTS OF REPORT.—At a minimum, a report submitted under this subsection by an eligible entity receiving funds under section 5 for an early college high school or other dual enrollment program shall include the following information about the students participating in the school or program, for each category of students described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(i)):

(A) The number of students.

(B) The percentage of students scoring advanced, proficient, basic, and below basic on the assessments described in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965.

(C) The performance of students on other assessments or measurements of achievement.

(D) The number of secondary school credits earned.

(E) The number of postsecondary credits earned.

(F) Attendance rate, as appropriate.

(G) Graduation rate.

(H) Placement in postsecondary education or advanced training, in military service, and in employment.

(I) A description of the school or program's student, parent, and community outreach and engagement.

(b) REPORTING BY SECRETARY.—The Secretary annually shall—

(1) prepare a report that compiles and analyzes the information described in subsection (a) and identifies the best practices for achieving the goals of this Act; and

(2) submit the report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives.

(c) MONITORING VISITS.—The Secretary's designee shall visit each grantee at least once for the purpose of helping the grantee achieve the goals of this Act and to monitor the grantee's progress toward achieving such goals.

(d) NATIONAL EVALUATION.—Not later than 6 months after the date on which funds are appropriated to carry out this Act, the Secretary shall enter into a contract with an independent organization to perform an evaluation of the grants awarded under this Act. Such evaluation shall apply rigorous procedures to obtain valid and reliable data concerning participants' outcomes by social and academic characteristics and monitor the progress of students from high school to and through postsecondary education.

(e) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to eligible entities concerning best practices in early college high schools and other dual enrollment programs and shall disseminate such best practices among eligible entities and State and local educational agencies.

SEC. 11. RULES OF CONSTRUCTION.

(a) EMPLOYEES.—Nothing in this Act shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded to the employees of local educational agencies (including schools) or institutions of higher education under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

(b) GRADUATION RATE.—A student who graduates from an early college high school supported under this Act in the standard number of years for graduation described in the eligible entity's application shall be considered to have graduated on time for purposes of section 1111(b)(2)(C)(6) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(6)).

By Mr. CONRAD (for himself, Mr. BROWNBACK, Ms. COLLINS, Mr. JOHNSON, and Mrs. MURRAY):

S. 628. A bill to provide incentives to physicians to practice in rural and medically underserved communities; to the Committee on the Judiciary.

Mr. CONRAD. Mr. President, today I am introducing the Conrad State 30 Improvement Act to extend and expand this program's success in bringing doctors to communities that would otherwise not have access to health care services. In the last Congress, a very similar version of this bill had extremely widespread support in the medical community and a diverse group of cosponsors in the Senate.

The Conrad State 30 program, which I helped create in 1994, has brought thousands of physicians to underserved communities in all 50 States, across our great country. Under the program, foreign doctors already in the country for medical training are granted a waiver from a visa requirement to return to their home country for 2 years. In exchange for this waiver, the doctors must commit to providing health care to underserved populations in the United States for 3 years.

By 2020, some projections show that the United States may have 200,000 fewer doctors than it needs; that is a staggering statistic, and one that cannot be taken lightly. If this shortfall is allowed to materialize, rural areas, like my State of North Dakota, will undoubtedly be among the hardest hit.

Given the looming deficit of doctors and an increasingly competitive global marketplace, it is vital that we maintain the incentives for qualified foreign physicians to serve patients in this country. The immigration benefits historically provided by the Conrad 30 program, and enhanced in this bill, provide crucial incentives to foreign doctors. When they do come to our country, it is vital that we make sure that they end up in the places that need them most.

This bill makes the Conrad 30 program permanent, something that I believe is long overdue. It also invites a new group of foreign doctors to take part in the program, a change that could dramatically expand the pool of doctors practicing in rural and underserved areas. Further, the bill creates a mechanism by which the current cap of 30 doctors per State can significantly expand, while protecting the interests of those States that have had difficulty recruiting doctors under the program. Finally, the bill creates an important new incentive for doctors to participate in the program by granting them a green card cap exemption when they have completed their service.

I strongly believe the Conrad State 30 Improvement Act can be of great benefit to every state in the country and help combat the growing shortage of health care providers in the U.S.

By Ms. COLLINS (for herself, Mr. VOINOVICH, and Mr. KOHL):

S. 629. A bill to facilitate the part-time reemployment of annuitants, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, I rise to introduce a bill with my colleagues Senators VOINOVICH and KOHL that will strengthen the Federal Government's ability to serve the public at a time when Federal agencies face a wave of retirement of highly experienced employees.

When we think about the coming demographic shock of millions of Baby Boomers reaching retirement age, we usually focus on the cash-flow implications for the Social Security and Medicare programs. But their aging will also have a profound effect on the Federal workforce.

On average, retirements from the Federal workforce have exceeded 50,000 a year for a decade. The numbers will certainly rise in the near future. The Office of Personnel Management calculates that 60 percent of the current Federal workforce, whose civilian component approaches three million people, will be eligible to retire during the coming 10 years.

Federal agencies, which already must hire more than a quarter-million new employees each year, will need to work hard to replace those retirees, as the private sector and state and local governments will be facing the same problem and competing for qualified replacements.

The Baby Boom retirement wave will have another impact. It will cause a sudden acceleration in the loss of accumulated skills and mentoring capabilities that experienced workers possess.

Research has repeatedly shown that, in general, older workers equal or outperform younger workers in organizational knowledge, ability to work independently, commitment, productivity, flexibility, and mentoring ability. Making good use of their talents is, therefore, not charity. It is common sense and sound management.

Federal agencies recognize the value of older workers, as witnessed by the fact that nearly 4,500 retirees have been allowed to return to full-time work on a waiver basis.

Agencies could make use of even more Federal annuitants for short-term projects or part-time work, but for a disincentive in current law.

Current law mandates that annuitants who return to work for the Federal Government must have their salary reduced by the amount of their annuity during the period of reemployment. The bill I introduce today with Senators VOINOVICH and KOHL would provide a limited but vital measure of relief to agencies who could benefit from the skills and knowledge of Federal retirees. It provides an opportunity for Federal agencies to reemploy retirees without requiring them to take pay cuts based on their annuity payment.

This simple but powerful reform will provide some much needed hiring flexibilities for agencies, especially given the expertise the Federal Government will need to effectively implement the American Recovery and Reinvestment Act of 2009.

The Homeland Security and Governmental Affairs Committee held a hearing earlier this month where we discussed how oversight entities will meet their responsibilities to ensure that stimulus funds are spent effectively. Acting Comptroller General Gene Dodaro indicated that the reemployment of annuitants is an essential authority that the Government Accountability Office uses when circumstances arise that require rapid staffing increases. Using statutory authority possessed by GAO, the agency is able to attract and hire back their annuitants without offsetting their pay by the amount of their pension.

Most executive branch agencies do not enjoy similar flexibility as GAO. Instead, current law requires these agencies to offset an annuitant's salary, unless the agency can first obtain a waiver from OPM. This waiver will be granted if the agency demonstrates to OPM that only a particular annuitant is qualified to fill a particular need and the annuitant will only return if his or her salary is not offset. The waiver process is administratively cumbersome, and often prevents agencies from even considering a returning annuitant for an important position.

Whether at GAO or in our Government's Inspectors General offices, experienced, qualified former employees—with institutional knowledge—could play an important role in oversight of stimulus spending. This point was recently made by both Acting Comptroller General Dodaro and the Chair of the Council of Inspectors General on Integrity and Efficiency, CIGIE, Phyllis Fong, in testimony before the Homeland Security and Governmental Affairs Committee.

Inspectors General will have to quickly hire experienced auditors and investigators to ensure critical oversight of stimulus spending. This legislation will allow IG offices to bring back valuable and experienced employees to the Federal Government to ensure aggressive oversight, enhanced transparency, and accountability for taxpayer dollars.

Ensuring an experienced acquisition workforce is available to oversee stimulus spending is just as critical. The government spent $532 billion on contracts last year—a 140 percent increase from 2001 to 2008. At the same time, the Federal Government entered the 21st century with 22 percent fewer federal civilian acquisition personnel than it had at the start of the 1990s. As early as 2012, 50 percent of this workforce will be eligible to retire. This means that as our contract spending continues to increase dramatically, our contracting workforce continues to shrink. This legislation will allow agencies to bring in experienced acquisition personnel at a time when they are desperately needed—whether to ensure that stimulus funds are spent wisely or to help administer over $500 billion in government contract spending

Several organizations have endorsed the reforms in our bill, including the National Active and Retired Federal Employees Association, the Partnership for Public Service, and the Government Managers Coalition.

I would also note two important points about the bill.

First, it will not materially affect the necessary flow of younger workers into Federal agencies. The bill contemplates reemployment for part-time or project work of not more than 520 hours in the first six months following the start of annuity payments, not more than 1,040 hours in any 12–month period, and not more than 3,120 hours total for the annuitant's lifetime. In terms of eight-hour days, those figures are equivalent to 65, 130, and 390 days, respectively.

These limits will give agencies flexibility in assigning retirees to limited-time or limited-scope projects, including mentoring and collaboration, without evading or undermining the waiver requirement for substantial or full-time employment of annuitants.

I would also note that this bill gives no cause for concern about financial impact. Reemployed annuitants would be performing work that the agencies needed to do in any case, but would not require any additional contributions to pension or savings plans. Meanwhile, their retiree health and life insurance benefits would be unaffected by their part-time work. Even without making any allowance for the positive effects of their organizational knowledge, commitment, productivity, and mentoring potential, their reemployment is likely to produce net savings.

This measure offers benefits for Federal agencies, for Federal retirees who would welcome the opportunity to perform part-time work, and for taxpayers, especially during these tough economic times. I urge my colleagues to support it.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. WHITEHOUSE, and Mr. SESSIONS):

S. 630. A bill to make technical amendments to laws containing time periods affecting judicial proceedings; to the Committee on the Judiciary.

Mr. LEAHY. Mr. Presdient, today, we introduce the Statutory Time-Periods Technical Amendments Act of 2009. I thank Senator SPECTER, the Ranking Republican on the Judiciary Committee and Senators WHITEHOUSE and SESSIONS, the Chairman and Ranking Member of the Administrative Oversight and Courts Subcommittee for cosponsoring.

This legislation incorporates recommendations from the Judicial Conference of the United States to alter deadlines in certain statutes affecting court proceedings to account for recent amendments to the Federal time-computation rules. This bipartisan bill would provide judges and practitioners with commonsense deadlines that are less confusing and less complex than current deadlines, and also ensure that existing time periods are not shortened.

After much study and significant public comment, the Judicial Conference's Standing Committee on Rules of Practice and Procedure and the Advisory Committees on Appellate, Bankruptcy, Civil, and Criminal Rules arrived at proposed new rules intended to provide predictability and uniformity to the current process of calculating court deadlines. The proposed rules respond, in part, to findings from the Judicial Conference that the current time-computation process is confusing and can lead to missed deadlines and litigants' loss of important rights. Under the current time-calculation rules, weekends and holidays are not counted when calculating court deadlines of less than 30 days, but are counted for calculating court deadlines longer than 30 days. The proposed new rules simplify this process by counting holidays and weekends regardless of a court deadline's time period. According to the Judicial Conference, these proposed changes would respond to practitioners' complaints and criticism from judges.

This legislation would amend a number of Federal civil and criminal statutes affecting court proceedings and harmonize them with the proposed rules. First, this remedial bill would alter certain statutory court deadlines to counterbalance any shortening of the time period resulting from the ''days are days'' approach. For example, the bill changes 5 days to 7 days, and 10 days to 14 days, to prevent time periods from becoming shorter when a practitioner counts all days, including weekends. This change would, in effect, maintain the same time periods in the statutes. In addition, if a time period ends on a holiday or a weekend the time period would be extended to the next business day. The bill would also change some statutory deadlines that would otherwise be inconsistent with the amended rules deadlines and lead to confusion.

This bipartisan legislation is time-sensitive. Both the Department of Justice and Judicial Conference urge swift consideration of this proposal, to allow it to take effect on December 1, 2009, the same date as the amendments to the rules.

According to a letter the Department of Justice sent to the Judicial Conference last year: ''Failure to adopt statutory changes that move in concert with the proposed rule changes will result in exactly the opposite effect of what is intended—changes to the rules alone will introduce greater confusion rather than desirable simplification.'' Although the Obama administration has not formally weighed

in on this legislation, I anticipate that the Justice Department will again support this proposal. In addition, this bill mirrors the proposal from the Judicial Conference which enjoyed broad support from numerous legal and bar organizations, including of the American College of Trial Lawyers, the Council of Appellate Lawyers, and the American Bar Association's Section of Litigation and Criminal Justice Section.

I hope we will consider this measure expeditiously and improve the effectiveness of our judicial system. Passing this bill will create a consistent and standard method for lawyers and judges to calculate court deadlines.

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. 630

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 ''Statutory Time-Periods Technical Amendments Act of 2009''.

SEC. 2. AMENDMENTS RELATED TO TITLE 11, UNITED STATES CODE.

Title 11, United States Code, is amended—

(1) in section 109(h)(3)(A)(ii), by striking ''5-day'' and inserting ''7-day'';

(2) in section 322(a), by striking ''five days'' and inserting ''seven days'';

(3) in section 332(a), by striking ''5 days'' and inserting ''7 days'';

(4) in section 342(e)(2), by striking ''5 days'' and inserting ''7 days'';

(5) in section 521(e)(3)(B), by striking ''5 days'' and inserting ''7 days'';

(6) in section 521(i)(2), by striking ''5 days'' and inserting ''7 days'';

(7) in section 704(b)(1)(B), by striking ''5 days'' and inserting ''7 days'';

(8) in section 749(b), by striking ''five days'' and inserting ''seven days''; and

(9) in section 764(b), by striking ''five days'' and inserting ''seven days''.

SEC. 3. AMENDMENTS RELATED TO TITLE 18, UNITED STATES CODE.

Title 18, United States Code, is amended—

(1) in section 983(j)(3), by striking ''10 days'' and inserting ''14 days'';

(2) in section 1514(a)(2)(C), by striking ''10 days'' each place it appears and inserting ''14 days'';

(3) in section 1514(a)(2)(E), by inserting after ''the Government'' the following: '', excluding intermediate weekends and holidays,'';

(4) in section 1963(d)(2), by striking ''ten days'' and inserting ''fourteen days'';

(5) in section 2252A(c), by striking ''10 days'' and inserting ''14 days'';

(6) in section 2339B(f)(5)(B)(ii), by striking ''10 days'' and inserting ''14 days'';

(7) in section 2339B(f)(5)(B)(iii)(I), by inserting after ''trial'' the following: '', excluding intermediate weekends and holidays'';

(8) in section 2339B(f)(5)(B)(iii)(III), by inserting after ''appeal'' the following: '', excluding intermediate weekends and holidays'';

(9) in section 3060(b)(1), by striking ''tenth day'' and inserting ''fourteenth day'';

(10) in section 3432, by inserting after ''commencement of trial'' the following: '', excluding intermediate weekends and holidays,'';

(11) in section 3509(b)(1)(A), by striking ''5 days'' and inserting ''7 days''; and

(12) in section 3771(d)(5)(B), by striking ''10 days'' and inserting ''14 days''.

SEC. 4. AMENDMENTS RELATED TO THE CLASSIFIED INFORMATION PROCEDURES ACT.

The Classified Information Procedures Act (18 U.S.C. App.) is amended——

(1) in section 7(b), by striking ''ten days'' and inserting ''fourteen days'';

(2) in section 7(b)(1), by inserting after ''adjournment of the trial,'' the following: ''excluding intermediate weekends and holidays,''; and

(3) in section 7(b)(3), by inserting after ''argument on appeal,'' the following: ''excluding intermediate weekends and holidays,''.

SEC. 5. AMENDMENT RELATED TO THE CONTROLLED SUBSTANCES ACT.

Section 413(e)(2) of the Controlled Substances Act (21 U.S.C. 853(e)(2)) is amended by striking ''ten days'' and inserting ''fourteen days''.

SEC. 6. AMENDMENTS RELATED TO TITLE 28, UNITED STATES CODE.

Title 28, United States Code, is amended—

(1) in section 636(b)(1), by striking ''ten days'' and inserting ''fourteen days'';

(2) in section 1453(c)(1), by striking ''not less than 7 days'' and inserting ''not more than 10 days''; and

(3) in section 2107(c), by striking ''7 days'' and inserting ''14 days''.

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall take effect on December 1, 2009.

Mr. KOHL (for himself, Ms. COLLINS, Mr. COCHRAN, Mr. KERRY, Mr. WHITEHOUSE, Mr. BINGAMAN, Mr. LEVIN, MR. CASEY, Mrs. LINCOLN, Ms. KLOBUCHAR, Ms. STABENOW, and Mr. BAYH):

S. 631. A bill to provide for nationwide expansion of the pilot program for national and State background checks on direct patient access employees of long-term care facilities or providers; to the Committee on Finance.

Mr. KOHL. Mr. President, I rise today to introduce the Patient Safety and Abuse Prevention Act along with my colleague, Senator COLLINS. This bill is the culmination of years of work and careful study, and would go a long way to ensuring the safety of vulnerable older Americans. We have hard evidence that this policy will work and will protect lives. It is vital that we consider getting this legislation moving soon, and I look forward to working with the Finance Committee, the elder justice community, and Congressman JOE SESTAK in the House to make that happen.

Thousands of individuals with a history of substantiated abuse or a criminal record are hired every year to work closely with exposed and defenseless seniors within our nation's nursing homes and other long-term care facilities. Because the current system of state-based background checks is haphazard, inconsistent, and full of gaping holes, predators can evade detection throughout the hiring process, securing jobs that allow them to assault, abuse, and steal from defenseless elders.

We can and must take action to stop this type of abuse by building on the resounding success of a seven-state background check pilot program, enacted as part of the 2003 Medicare Modernization Act, which enabled seven states to make major improvements in their existing screening procedures of individuals applying for jobs in long-term care settings. The results of this 3-year pilot program were a resounding success: more than 7,200 individuals with a history of abuse or violence were kept out of the workforce in Alaska, Idaho, Illinois, Michigan, Nevada, New Mexico, and Wisconsin.

The states who participated in the pilot have all chosen to continue their programs, and are taking additional steps to build on the success of the technological infrastructure they created. The Patient Safety and Abuse Prevention Act will expand these outstanding results nationwide by making it possible for all states to make these commonsense improvements. The cost of enabling states to efficiently connect registries and databases, expand the range of workers who are screened, and add a national criminal history check is very modest. If states take these steps, we can reduce the terrible toll of elder abuse. If we do not, experts tell us abuse rates will continue to rise.

Our straightforward approach is strongly endorsed by State Attorneys General across the country, the Elder Justice Coalition, which speaks for over 500 member organizations, AARP, the American Health Care Association, NCCNHR, the American Association of Homes and Services for the Aging, and advocates in hundreds of communities who work every day to protect the well-being of elders and individuals with disabilities.

Last Congress, the Patient Safety and Abuse Prevention Act was passed unanimously out of the Finance Committee. We are so close to getting this policy passed. I ask my colleagues to join Senators COLLINS, KERRY, WHITEHOUSE, BINGAMAN, LEVIN, CASEY, LINCOLN, KLOBUCHAR, STABENOW, BAYH, and COCHRAN in supporting our efforts to reduce and prevent abuse of our elders and loved ones.

Mr. President, I ask unanimous consent that support material be printed in the RECORD.

There being no objection, the material was ordered to be placed in the RECORD, as follows:

[From the PARADE Intelligence Report, Mar. 1, 2009]

PROTECTING THE ELDERLY FROM ABUSE

(By Lyric Wallwork Winik)

In 2006, a 90-year-old New York grandmother was raped by a caregiver with a criminal record. The man worked in the nursing home where she lived. Similar incidents over the years have led many to wonder how criminals end up working with vulnerable populations in the first place.

While most states require background checks for nursing-home employees, there is no national database that allows employers to check for crimes committed in other states.

Sen. Herb Kohl (D., Wis.) has introduced legislation that would require the creation of a national cross-referencing system. According to the Senate Special Committee on

Aging, which Kohl leads, the Congressional Budget Office has estimated the cost at $100 million over three years. A trial program in seven states found that 7000 applicants for eldercare positions had violent criminal records or a substantiated history of abuse. Says Kohl, ''This policy is more than just a good idea in theory—we've implemented it in seven states and seen the results. Comprehensive background checks are routine for those who work with young children, and we should be protecting vulnerable seniors and disabled Americans in the same way.''

By Mr. BAUCUS (for himself, Mr. CRAPO, Mrs. LINCOLN, Ms. SNOWE, Mr. ROBERTS, Mr. ENZI, and Mr. ENSIGN):

S. 632. A bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly; to the Committee on Finance.

Mr. BAUCUS. Mr. President, I am pleased today to join with my friend Senator CRAPO to introduce an important piece of legislation that would help to strengthen the financial health of America's firearm and ammunition manufacturers, who in turn support wildlife conservation in America.

The firearm and ammunition industry pays a Federal excise tax of 11 percent on long guns and ammunition and 10 percent on handguns. The Tax and Trade Bureau in the Treasury Department collects this tax. The Bureau sends the proceeds to the U.S. Fish and Wildlife Service, where they are deposited into the Wildlife Restoration Trust Fund, also known the Pittman-Robertson Trust Fund.

The tax is a major source of conservation funding in America. Since 1991, the firearm and ammunition industry has contributed about $3 billion to the Pittman-Robertson Fund and since the inception of the tax, has contributed over $5.5 billion. In 2008, over $321 million was collected.

Of all the industries that pay excise taxes on the sale of their products to support wildlife conservation efforts, firearms and ammunition manufacturers are the only ones that have to pay excise taxes every 2 weeks. Other industries, such as archery and fishing, pay their tax every 3 months.

This frequent payment obligation imposes a costly and inequitable burden on the firearms and ammunition industry. Manufacturers spend thousands of additional man-hours just to administer the paperwork associated with making the bi-weekly excise payments.

According to the National Shooting Sports Foundation, changing the deposit schedule from a bi-weekly to quarterly payment would save the industry an estimated $21.6 million dollars a year. That is money that the industry could use for investment in researching and developing new products, purchasing new manufacturing plants and equipment, and communicating with the hunting and shooting sports community.

Let me take a moment to explain what this legislation does not do. It does not reduce the firearm and ammunition industry's excise tax rates. It simply adds fairness to the tax code.

It is important for my Colleagues to understand the history and nature of the firearm and ammunition excise tax. During the Great Depression, hunters and conservationists recognized that overharvesting of wildlife would destroy America's treasured wildlife and natural habitats. Sportsmen, state wildlife agencies, and the firearm and ammunition industries lobbied Congress to extend the existing 10 percent excise tax and impose a new 11 percent excise tax to create a new fund. The fund was called the Pittman-Robertson Trust Fund after Senator Key Pittman of Nevada and Representative A. Willis Robertson of Virginia. President Franklin D. Roosevelt signed the legislation into law in 1937.

The industry, hunters, and conservationists came together to create this structure. They recognized the importance of conservation. And they encouraged Congress to impose a tax on their guns and ammo. It is rare thing when taxpayers ask to be taxed. But preserving our country's wildlife habitat was and continues to be that important.

Today, more than $700 million each year is generated and used exclusively to establish, restore, and protect wildlife habitats.

Now let me explain the effect that the bill we are introducing today would have on the Pittman-Robertson Trust Fund. As the Joint Committee on Taxation explained in its revenue estimate, the net budget effect to the fund is $4 million. This is purely a result of the shift in the timing of collections, from bi-weekly to quarterly, over a 10-year budget window. Consumers of firearms and ammunition would still pay the exact same amount of tax.

The firearm and ammunition industry recognizes the ten-year $4 million loss to the trust fund. The industry developed a comprehensive 5–year proposal to ease this effect. Under the proposal, the industry would contribute $150,000 a year for the next 5 years, a total of $750,000, to the fund.

These actions again show the partnership between hunters, conservation groups, and the firearm and ammunition industry to protect conservation programs and initiatives. That's why this legislation is supported by the following groups: Archery Trade Association; Association of Fish and Wildlife Agencies; Boon and Young; Congressional Sportsmen's Foundation; Delta Waterfowl; Ducks Unlimited; National Rifle Association; National Shooting Sports Foundation, Inc.; National Wild Turkey Federation; North American Wetlands Conservation Council; Pheasants Forever; Rocky Mountain Elk Foundation; Safari Club International; Wildlife Management Institute; U.S. Fish and Wildlife Service; and U.S. Sportsmen's Alliance.

I urge my Colleagues to support this legislation. I am very glad that Senators LINCOLN, SNOWE, ROBERTS, ENSIGN and ENZI have also signed onto this legislation as original cosponsors. I hope that we can come together, just as the industry, hunters, and conservation groups have, to pass this legislation. It is a matter of tax fairness. Let us do our part to correct this inequity in the tax code. Let us do our part to support an American industry that in turn supports wildlife habitat restoration and conservation.

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. 632

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 ''Firearms Fairness and Affordability Act''.

SEC. 2. TIME FOR PAYMENT OF MANUFACTURERS' EXCISE TAX ON RECREATIONAL EQUIPMENT.

(a) IN GENERAL.—Subsection (d) of section 6302 of the Internal Revenue Code of 1986 (relating to mode or time of collection) is amended to read as follows:

''(d) TIME FOR PAYMENT OF MANUFACTURERS' EXCISE TAX ON RECREATIONAL EQUIPMENT.—The taxes imposed by subchapter D of chapter 32 of this title (relating to taxes on recreational equipment) shall be due and payable on the date for filing the return for such taxes.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to articles sold by the manufacturer, producer, or importer after the date of the enactment of this Act.

By Mr. TESTER (for himself, Mr. BAUCUS, Mr. JOHNSON, Mr. BINGAMAN, and Mr. DORGAN):

S. 633. A bill to establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, and for other purposes; to the Committee on Indian Affairs.

Mr. TESTER. Mr. President, my colleagues and I rise today to introduce the Tribal Health Promotion and Tribal Colleges and Universities Advancement Act of 2009.

Indian Education is perhaps the most important issue facing Indian Country today because education represents hope. Higher education leads to better job opportunities. Better jobs lead to higher income. Higher income leads to greater access to health care, adequate housing and overall, a higher quality of life. Higher quality of life leads to strong communities. Happy, healthy and strong communities are more resistant to the destructive forces of poverty such as chemical abuse, violence and neglect. This bill will improve Indian Country by addressing three of the most pressing issues facing it today: healthcare, job creation and education.

No one disagrees that 85 percent unemployment in Indian Country is unacceptable. No one disagrees that it is unacceptable that the majority of America's at-risk youth live in Indian Country. However, merely reciting these statistics over and over will not make the situation any better. We need to work together to make Indian Country a better place to live, work and raise a family.

We introduced this vital legislation to help advance the remarkable work of tribal colleges and universities. Through grants awarded under this bill, tribal colleges and universities will have additional resources necessary to strengthen Indian communities by providing healthy living and disease prevention education, outreach and workforce development programs, research, and capacity building. Not only will it improve education, but it will also improve the delivery of culturally appropriate health care services. In addition to good education and increased access to health care, this bill will also help create good jobs for tribal members living on American Indian reservations.

Tribal Colleges and Universities are accredited by independent, regional accreditation agencies, and like all institutions of higher education, must undergo stringent performance reviews to retain their accreditation status. In addition to offering postsecondary education opportunities, tribal colleges serve reservation communities by providing critical services including: libraries, community centers, cultural, historical and language programs; tribal archives, career centers, economic development and business centers; health and wellness centers, public meeting places, child and elder care centers. Despite their many obligations, functions, and notable achievements, tribal colleges remain the most poorly funded institutions of higher education in this country.

The continued success and future of the Nation's tribal colleges and universities depends on their ability to provide higher education and community outreach programs. For them to succeed however, they must have the financial resources to do so.

As a Montanan and member of the Senate Indian Affairs Committee, I am proud to introduce this legislation. I look forward to swift consideration and eventual passage.

By Mrs. MURRAY:

S. 635. A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be placed in the RECORD, as follows:

S. 635

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

SECTION 1. DESIGNATION OF WILD AND SCENIC RIVER SEGMENTS.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(____) ILLABOT CREEK, WASHINGTON.—The 14.3 mile segment from the headwaters of Illabot Creek to 1,000 feet south of and at no point closer than 200 feet from the Rockport-Cascade Road, flowing through lands managed by the U.S. Forest Service, Washington State Department of Natural Resources, and Seattle City Light, to be administered by the Secretary of Agriculture as follows:

''(A) The 4.3 mile segment from the headwaters of Illabot Creek to the boundary of Glacier Peak Wilderness Area as a wild river.

''(B) The 10 mile segment from the boundary of Glacier Peak Wilderness to 1,000 feet south of Rockport-Cascade Road as a recreational river.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 76—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES AND THE PEOPLE'S REPUBLIC OF CHINA SHOULD WORK TOGETHER TO REDUCE OR ELIMINATE TARIFF AND NONTARIFF BARRIERS TO TRADE IN CLEAN ENERGY AND ENVIRONMENTAL GOODS AND SERVICES

Ms. CANTWELL submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 76

Whereas the United States and the People's Republic of China are among the world's largest economies, are the world's largest producers, consumers, and importers of energy, and are the world's largest sources of energy-related greenhouse gas emissions;

Whereas future growth in the United States, China, and other countries should follow a model for energy use that does not further jeopardize the planet's climate and that presents numerous opportunities for significant economic growth;

Whereas a global transformation to the use of clean energy will require the adoption of renewable energy technologies to reduce carbon emissions and to build energy-efficient infrastructures;

Whereas that global transformation will also require substantial amounts of clean energy and environmental goods and services to be traded among the United States, China, and other countries;

Whereas tariffs imposed by foreign countries on renewable energy goods such as solar water heaters can be as high as 35 percent, tariffs on solar cells can be as high as 23 percent, and tariffs on wind power generating sets and hydraulic turbines can be as high as 25 percent; and

Whereas it is in the best interests of all countries to reduce or eliminate tariff and nontariff barriers to trade in clean energy and environmental goods and services: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States and the People's Republic of China should—

(A) work together to reduce or eliminate tariff and nontariff barriers to trade in clean energy and environmental goods and services; and

(B) work through the Asia Pacific Economic Cooperation and the World Trade Organization to reach a multilateral agreement to reduce or eliminate such barriers; and

(2) reducing or eliminating tariff and nontariff barriers to trade in clean energy and environmental goods and services will allow the United States, China, and other countries to develop, promote, and deploy clean energy technologies to meet global environmental challenges.

SENATE RESOLUTION 77—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES AND THE PEOPLE'S REPUBLIC OF CHINA SHOULD NEGOTIATE A BILATERAL AGREEMENT ON CLEAN ENERGY COOPERATION

Ms. CANTWELL (for herself and Mr. VOINOVICH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 77

Whereas the United States and the People's Republic of China are the world's largest producers, consumers, and importers of energy and account for 36 percent of global primary energy use and 41 percent of global carbon dioxide emissions;

Whereas, in 2007, China surpassed the United States to become the world's largest emitter of greenhouse gases and China is projected to increase emissions of greenhouse gases by 3.3 percent annually during the next 2 decades;

Whereas, by working together to tackle shared economic, environmental, and security challenges, the United States and China can more quickly and cost-effectively develop and implement cleaner, 21st-century energy systems;

Whereas efforts to develop and implement such systems will benefit from a foundation in sound science and policies that rely on and augment the vast technical capabilities and resources of both the United States and China; and

Whereas an action plan resulting from a bilateral agreement on clean energy cooperation between the United States and China may serve as a catalyst for the economic growth of the United States, an expression of United States foreign policy with respect to mitigating climate change, and a means for accelerating the development of a global clean energy economy: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States and the People's Republic of China should negotiate a bilateral agreement under which the United States and China agree to cooperate in the development and use of clean energy; and

(2) the negotiation of such an agreement would send a clear signal to the world community that the United States is ready to lead a robust effort to mitigate global climate change that involves all countries that are major emitters of greenhouse gases.

SENATE RESOLUTION 78—DESIGNATING MARCH 22, 2009, AS ''NATIONAL REHABILITATION COUNSELORS APPRECIATION DAY''

Mr. CHAMBLISS (for himself and Ms. LANDRIEU) submitted the following resolution; which was considered and agreed to:

S. RES. 78

Whereas rehabilitation counselors conduct assessments, provide counseling, support families, and plan and implement rehabilitation programs for those in need of rehabilitation;

Whereas the purpose of professional organizations for rehabilitation counseling and education is to promote the improvement of rehabilitation services available to individuals with disabilities through quality education for counselors and rehabilitation research;

Whereas various professional organizations, including the National Rehabilitation Association, Rehabilitation Counselors and Educators Association, the National Council on Rehabilitation Education, the National Rehabilitation Counseling Association, the American Rehabilitation Counseling Association, the Commission on Rehabilitation Counselor Certification, the Council of State Administrators of Vocational Rehabilitation, and the Council on Rehabilitation Education, have vigorously advocated up-to-date education and training and the maintenance of professional standards in the field of rehabilitation counseling and education;

Whereas on March 22, 1983, Martha Walker of Kent State University, who was President of the National Council on Rehabilitation Education, testified before the Subcommittee on Select Education of the Committee on Education and Labor of the House of Representatives, and was instrumental in bringing the need for qualified rehabilitation counselors to the attention of Congress; and

Whereas the efforts of Martha Walker led to the enactment of laws that require rehabilitation counselors to have proper credentials, in order to provide a higher quality of service to those in need of rehabilitation: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 22, 2009, as ''National Rehabilitation Counselors Appreciation Day''; and

(2) commends—

(A) rehabilitation counselors, for their dedication and the hard work they provide to individuals in need of rehabilitation; and

(B) professional organizations, for the efforts they have made to assist those who require rehabilitation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 685. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 146, to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 685. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 146, to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FLINT HILLS CONSERVATION EASEMENTS, KANSAS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall offer to enter into such conservation easements as the Secretary determines to be necessary to protect the Flint Hills tallgrass prairie in eastern Kansas.

(b) WILLING OWNERS.—The Secretary shall offer to enter into conservation easements under subsection (a) with any willing owner of land or an interest in land located in a biologically significant area of the Flint Hills tallgrass prairie in eastern Kansas, as determined by the Secretary.

(c) TREATMENT.—A conservation easement entered into under this section shall be—

(1) a perpetual easement; and

(2) recorded on the deed of the relevant land or interest in land.

NOTICES OF HEARINGS

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 Subcommittee on Energy of the Senate Committee on Energy and Natural Resources. The hearing will be held on Wednesday, March 25, 2009, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the legislative hearing is to receive testimony on draft legislation to improve energy market transparency and regulation.

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, U.S. Senate, Washington, DC 20510–6150, or by e-mail to Rosemarie_Calabro@energy.senate.gov.

For further information, please contact Tara Billingsley at (202) 224–4756 or Rosemarie Calabro at (202) 224–5039.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy of the Senate Committee on Energy and Natural Resources. The hearing will be held on Wednesday, March 25, 2009, at 2 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the legislative hearing is to receive testimony on draft legislation to improve energy market transparency and regulation.

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, U.S. Senate, Washington, DC 20510–6150, or by e-mail to Rosemarie_Calabro@energy.senate.gov.

For further information, please contact Tara Billingsley at (202) 224–4756 or Rosemarie Calabro at (202) 224–5039.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, March 18, 2009 at 10 a.m., in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, March 18, 2009 at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. FEINGOLD. 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 on Wednesday, march 18, 2009 at 10 a.m. in Dirksen 430.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Wednesday, march 18, 2009. The Committee will meet in room 334 of the Cannon House Office Building beginning at 9:30 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct a hearing entitled ''The Need to Stringthen Forensic Science in the United States: The National Academy of Science's Report on a Path Forward'' on Wednesday, March 18, 2009, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

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

AD HOC SUBCOMMITTEE ON DISASTER RECOVERY

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Disaster Recovery of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, March 18, 2009, at 2:30 p.m. to conduct a hearing entitled ''A New Way Home: Findings from the Disaster Recovery Subcommittee Special Report and Working with the New Administration on a Way Forward.''

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

SECURITIES, INSURANCE, AND INVESTMENT SUBCOMMITTEE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 18, 2009, at 2:30 p.m. to conduct a Securities, Insurance and Investment Subcommittee hearing entitled ''Lessons Learned in Risk Management Oversight at Federal Financial Regulators.''

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

SUBCOMMITTEE ON HEALTH CARE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Subcommittee on Health Care of the Committee on Finance will meet on Wednesday, March 18, 2009, at 2:30 p.m., in room 215 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON PERSONNEL

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 18, 2009, at 2:45 p.m.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE SESSION

Mr. REID. Mr. President, as if in executive session, I ask unanimous consent that on Thursday, March 19, at 2 p.m., the Senate proceed to executive session to consider Calendar No. 22, the nomination of Elena Kagan to be Solicitor General of the United States; that there be 6 hours of debate with respect to the nomination, with the time equally divided and controlled between Senators LEAHY and SPECTOR or their designees; that upon the use or yielding back of time, the Senate proceed to vote on confirmation of the nomination; that upon confirmation, the motion to reconsider be laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and the Senate resume legislative session.

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

FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2009

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of H.R. 1512.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1512) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

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

Mr. REID. I ask unanimous consent the bill be read three times and passed; the motion 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 bill (H.R. 1512) was ordered to be read a third time, was read the third time, and passed.

NATIONAL REHABILITATION COUNSELORS APPRECIATION DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 78.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 78) designating March 22, 2009, as ''National Rehabilitation Counselors Appreciation Day.''

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, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 78) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 78

Whereas rehabilitation counselors conduct assessments, provide counseling, support families, and plan and implement rehabilitation programs for those in need of rehabilitation;

Whereas the purpose of professional organizations for rehabilitation counseling and education is to promote the improvement of rehabilitation services available to individuals with disabilities through quality education for counselors and rehabilitation research;

Whereas various professional organizations, including the National Rehabilitation Association, Rehabilitation Counselors and Educators Association, the National Council on Rehabilitation Education, the National Rehabilitation Counseling Association, the American Rehabilitation Counseling Association, the Commission on Rehabilitation Counselor Certification, the Council of State Administrators of Vocational Rehabilitation, and the Council on Rehabilitation Education, have vigorously advocated up-to-date education and training and the maintenance of professional standards in the field of rehabilitation counseling and education;

Whereas on March 22, 1983, Martha Walker of Kent State University, who was President of the National Council on Rehabilitation Education, testified before the Subcommittee on Select Education of the Committee on Education and Labor of the House of Representatives, and was instrumental in bringing the need for qualified rehabilitation counselors to the attention of Congress; and

Whereas the efforts of Martha Walker led to the enactment of laws that require rehabilitation counselors to have proper credentials, in order to provide a higher quality of service to those in need of rehabilitation: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 22, 2009, as ''National Rehabilitation Counselors Appreciation Day''; and

(2) commends—

(A) rehabilitation counselors, for their dedication and the hard work they provide to individuals in need of rehabilitation; and

(B) professional organizations, for the efforts they have made to assist those who require rehabilitation.

ORDERS FOR THURSDAY, MARCH 19, 2009

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Thursday, March 19; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders, with the majority controlling the first half and the Republicans controlling the second half; further, that following morning business, the Senate resume consideration of H.R. 146, under the previous order.

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

PROGRAM

Mr. REID. Mr. President, under the previous order, at approximately 11 a.m., there will be up to three votes in relation to the remaining Coburn amendments, with a vote on passage of the bill shortly thereafter. This evening we were able to reach an agreement to consider the nomination of the Solicitor General to be of the United States, Elena Kagan. Senators should expect a vote on confirmation tomorrow afternoon or evening, depending on how much debate time is used.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:07 p.m., adjourned until Thursday, March 19, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

JAMES W. MILLER, OF VIRGINIA, TO BE UNDER SECRETARY OF AGRICULTURE FOR FARM AND FOREIGN AGRICULTURAL SERVICES, VICE MARK EVERETT KEENUM, RESIGNED.

DEPARTMENT OF DEFENSE

ASHTON B. CARTER, OF MASSACHUSETTS, TO BE UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS, VICE JOHN J. YOUNG, JR.

DEPARTMENT OF STATE

SUSAN FLOOD BURK, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE SPECIAL REPRESENTATIVE OF THE PRESIDENT, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF EDUCATION

RUSSLYNN ALI, OF CALIFORNIA, TO BE ASSISTANT SECRETARY FOR CIVIL RIGHTS, DEPARTMENT OF EDUCATION, VICE STEPHANIE JOHNSON MONROE, RESIGNED.

CARMEL MARTIN, OF MARYLAND, TO BE ASSISTANT SECRETARY FOR PLANNING, EVALUATION, AND POLICY DEVELOPMENT, DEPARTMENT OF EDUCATION, VICE WILLIAMSON EVERS, RESIGNED.

CHARLES P. ROSE, OF ILLINOIS, TO BE GENERAL COUNSEL, DEPARTMENT OF EDUCATION, VICE KENT D. TALBERT, RESIGNED.

DEPARTMENT OF JUSTICE

RONALD H. WEICH, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE WILLIAM EMIL MOSCHELLA.

CONFIRMATION

Executive nomination confirmed by the Senate, Wednesday, March 18, 2009:

EXECUTIVE OFFICE OF THE PRESIDENT

RONALD KIRK, OF TEXAS, TO BE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

MICHAEL D. O'CONNOR

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. GRAVES. Madam Speaker, I rise today to honor Michael D. O'Connor, a heroic veteran from Blue Springs, Missouri. Michael has an incredible history of service and honor to his country, and it is my pleasure to highlight just a few of his stories.

Michael was born in Oconto, Wisconsin on June 6, 1918. He is a veteran of World War II who was in the 1st Marine Division and served at the Battle of Midway in 1943. He also served in the Battles of Peleliu and Cape Gloucester, serving a total of four Southwest Pacific campaigns, as well as six months of service in Australia. Michael has witnessed many historical moments in his life, including when he was stationed in Honolulu when Martial Law was declared following the attack on Pearl Harbor in 1941. He even served as an MP at President Franklin Roosevelt's funeral.

Michael has received three purple hearts for his sacrifice to his country. Aside from this, he lives quietly in Blue Springs and rarely receives recognition for his service, like so many other veterans across the nation. It is an honor to have someone like Mr. O'Connor in the Sixth Congressional District, who like so many others has dedicated his life to defending our freedom. His courage and dedication should serve as an example to the rest of us on how we can better serve each other and our great nation.

Madam Speaker, I ask my colleagues to join with me in commending Michael D. O'Connor for his dedication to his country. I know Michael's family and friends join with me in congratulating him on his graduation and wishing him best of luck on all of his future endeavors.

IN RECOGNITION OF SOKKA GAKKAI INTERNATIONAL ON THE OCCASION OF ITS FOUNDING COMMEMORATIVE GATHERING IN NEW YORK CITY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mrs. MALONEY. Madam Speaker, I rise to pay tribute to the Sokka Gakkai International, whose founding commemorative gathering is being celebrated at its Manhattan Cultural Center this month. Sokka Gakkai International, or SGI, is a worldwide Buddhist organization with 12 million members. SGI is dedicated to the universal principles of peace, culture, and education and thus encourages its members to assert responsibility for their lives to contribute to the building of a world in which people of different faiths and backgrounds can live together in peace and harmony.

Sokka Gakkai International, whose name can be translated as the "Value Creation Society," has expanded its reach around the world since its founding 34 years ago on the island of Guam. Under the influence of its founding and current President, Dr. Daisaku Ikeda, the Buddhist philosopher, educator, writer and poet, SGI has grown to span 192 countries across the globe, and counts 12 million adherents worldwide. More than 10,000 members live in New York City.

On January 26, 2009, more than 500 representatives gathered at SGI's New York Cultural Center, which is located in New York State's 14th Congressional District that I am privileged to represent. They convened in order to celebrate world peace, culture, and the value of education. Through its dedication to tolerance for all citizens of the world, respect for human rights, and the pursuit of peace through strict adherence to the principle of non-violence, Sokka Gakkai International has provided worshipers of the Buddhist faith with an organizational vehicle with transformative potential and a creed of harmony and understanding.

Madam Speaker, I am deeply honored to represent the Sokka Gakkai International's New York Cultural Center. I ask that my distinguished colleagues join me in recognizing the tremendous contributions to our educational and civic life made by the Sokka Gakkai International, its visionary President Dr. Daisaku Ikeda, and its dedicated members.

SUPPORTING NATIONAL WOMEN'S HISTORY MONTH

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 17, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in strong support of House Resolution 211, Supporting the Goals and Ideals of National Women's History Month. I am proud to be a cosponsor of this resolution.

Throughout the month of March, we pause to celebrate the rich achievements women have made in every aspect of life—whether in arts, government, science, sports, or family life. We stand here to champion these contributions and honor those taking the lead to save our planet.

Before the 1970s women's history was largely overlooked, but today we cannot ignore the significant contributions women have made in shaping our country and building for a brighter, more peaceful future.

Recognizing these accomplishments through Women's History Month will no doubt greatly impact the self-esteem of young women and girls.

Emphasizing the wide range of educational and career opportunities, and introducing them to positive role models of all backgrounds, will leave a lasting impression on the future women leaders of our country.

Mr. Speaker, I call on my colleagues to support House Resolution 211, recognizing the unique role of women and working to increase awareness of women's involvement in our history.

HONORING SISTER PATRICE COOLICK, C.S.J.

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. KILDEE. Madam Speaker, I rise today to pay tribute to Sister Patrice Coolick, Sisters of St. Joseph Carondelet, as she celebrates the Golden Jubilee of taking her vows. Her family and friends will celebrate this anniversary with her on March 21st.

Since taking her vows on March 19, 1959, Sister Patrice moved from Flushing, Michigan to Missouri and attended Fontbonne University. She received her Bachelor Degree in Nursing from the College of St. Catherine in 1967 and one year later began working in Lima, Peru at the Military Hospital. She came back to the United States and completed a physician's assistant program at Saint Louis University. Upon receiving her degree she returned to Peru. In 1983 she became part of a medical team working in refugee camps in Thailand and Sudan.

Sister Patrice returned to the United States and earned a Master's Degree in Marriage and Family Counseling from the Santa Clara University-California. She joined the O'Connor Hospital staff working in the oncology department and she became a member of the staff at Santa Clara Catholic Charities.

Madam Speaker, I ask the House of Representatives to rise with me and applaud the life of Sister Patrice Coolick. Throughout her life she has worked to bring physical and spiritual healing to the destitute, the displaced and the discouraged. She has taken her God-given gifts of nursing and empathy and given back to the disheartened of our world. Above all Sister Patrice demonstrates in small everyday acts of love, her commitment to following the words of Our Lord, Jesus Christ, contained in Matthew 25:40, "Whatsoever you do to the least of my people, that you do unto me." May God continue to bless Sister Patrice and inspire her in her work.

IN RECOGNITION OF THE 1ST BATTALION, 69TH INFANTRY OF THE NEW YORK NATIONAL GUARD

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mrs. MALONEY. Madam Speaker, I rise to recognize the soldiers of the 1st Battalion, 69th Infantry Regiment of the New York National Guard who are being honored on St.

Patrick's Day in New York City. I know that my distinguished colleagues will join me in extending our appreciation and gratitude to all of the brave members of the armed forces serving in the National Guard and the Reserve, who are so courageously and selflessly dedicated to their fellow Americans.

The National Guard is an integral part of a great American military tradition that began during the American Revolution. At that time, our Founding Fathers placed the country's security in the hands of citizen-soldiers who trained and organized into militias in their home colonies. To this day, members of the National Guard must be ready to serve their state and their country, often at a moment's notice.

Headquartered in the historic Armory on Lexington Avenue—one of a dwindling number of armories remaining in our nation's greatest city—the members of the 1st Battalion, 69th Infantry continue to uphold a distinguished tradition in both battle and disaster response. As part of the famous Irish Brigade during the Civil War, the members of the 69th Infantry were renowned for their tenacity on the battlefield, leading Confederate General Robert E. Lee to bestow upon them the nickname of "The Fighting 69th." In acknowledgment of its proud heritage, the Fighting 69th participates each year in New York's world-renowned St. Patrick's Day Parade.

The Fighting 69th are infantry soldiers—the "boots on the ground"—whose mission is to engage and destroy enemy forces in close combat. In addition to the Civil War, its members have also fought in the Spanish-American War, World War I and World War II, when its soldiers served valiantly in the battles of Makin, Saipan and Okinawa. Its members completed a tour of duty in Iraq, returning to the U.S. after serving with distinction. The battalion mobilized more than 300 soldiers to support Task Force Phoenix VII during its deployment to Afghanistan in 2008 and 2009, when four of its members paid the ultimate sacrifice for their country and were killed in action.

During the current conflict in Iraq, 19 members of the Fighting 69th were killed in action, including a member who was one of the New York firefighters who first raised the American flag above Ground Zero, Christian Engledrum. Six members of the 69th Regiment were awarded Purple Hearts in April, 2006 after being wounded by roadside bombs in Iraq. The unit patrolled the infamous road to the Baghdad airport and was stationed primarily in the Sunni Triangle, where many insurgent attacks have taken place.

The members of the Regiment also have mobilized during times of emergency in their home state of New York. The Fighting 69th was the first National Guard unit to arrive on the scene following the devastating terrorist attacks of September 11, 2001. In the hours after the attacks, the Battalion assisted medical teams treating the wounded and provided significant assistance to rescue and recovery operations, continuing in this mission for nearly a year. For several months following the attacks, the members of the Fighting 69th guarded the bridges and tunnels that ring New York City.

Madam Speaker, in recognition of its tremendous contributions to civic and public life, I request that my colleagues join me in paying tribute to the Fighting 69th Regiment of the New York State National Guard, whose members are great New Yorkers and great Americans. All patriots should be grateful for the dedication demonstrated every day by the men and women of the Fighting 69th as well as all of the brave individuals serving in National Guard and Reserve units throughout our great country. The Fighting 69th Regiment's service to our country inspires us all.

HONORING TRUMAN ALLEN AND SUSAN L. MOORE

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. JOHNSON of Illinois. Madam Speaker, I rise today to honor Truman Allen and Susan L. Moore for their contributions to the Young Men's Christian Association.

Truman Allen Moore was born to Truman E. and Margaret Allen Moore with three siblings. Truman married the love of his life Susan L. Lacy at the beginning of his post-graduate education on August 19, 1967. They have a daughter and a son, Amanda and Mark. Truman obtained a Bachelor of Science in Business in 1967 and a Master of Science in Education from Eastern Illinois University in 1971.

Truman's first job for the YMCA was an Assistant Physical Director in Danville while in his post-graduate education. From this position, he rose to Program Director in Paris then to Kewanee. Truman was promoted to Executive Director of YMCA Youth and Government at Kewanee in 1974. He then served this position at Knox County from 1978–2001 and Champaign County for two years before becoming President of YMCA Youth and Government.

Lester Y. and Luella C. Lacy had a daughter named Susan L. Moore on October 16, 1944. She grew up with a brother and a sister. Susan graduated from Kansas High School in 1962 as the Valedictorian. She went on to obtain a Bachelor of Arts in Education from DePauw University in Indiana in 1966 and a Master of Science in Education from Eastern Illinois University in 1971.

She began her professional life by becoming a teacher at the grade school level. Susan served Illinois in towns Flossmoor, Danville, and Charleston while pursuing her Master's. She worked at the Wethersfield School in Kewanee as a reading specialist for second graders while volunteering with the YMCA Youth and Government. She became its secretary in 1979 before becoming the Program Director in 2001.

I hope all of you will join me in recognizing Truman and Susan Moore for their contributions to the YMCA and their communities.

HONORING RODOLFO SANTAYAN

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Ms. ROS-LEHTINEN. Madam Speaker, I would like to take this opportunity to recognize the extraordinary life and work of Rodolfo Santayana, a Cuban refugee turned entrepreneurial pioneer who recently had the intersection of SW 8th St. and SW 122nd Ave. in Miami named in his honor.

Mr. Santayana arrived in the United States after fleeing the despotic Castro regime of his beloved Cuba. He was only seventeen, but managed to help provide for his family by holding two jobs as a paperboy and a gas station attendant.

However, it would not take him long to discover his calling in the family business. His father, Rodolfo Santayana, Sr. sold jewelry door-to-door in Cuba and beseeched Rodolfo Jr. to seek out his old customers in Cuba who also found refuge from the tyranny of Castro in South Florida.

After studying jewelry design at Miami's Lindsey Hopkins Technical Education Center, he took on his father's request, opening his own store on the street that now bears his name.

He was highly regarded in South Florida not only for the beauty of his work but also for his ability to honor the Cuban heritage with his jewelry. He incorporated some of the symbols of his lost, but far from forgotten, Cuba: palm trees, ox pulled carts full of sugar cane and Cuban silver coins.

It is a testament to the greatness of our country that a man driven from his home to America with only a suitcase full of hopes could use his talent and drive to forge a remarkable life for himself. Now, he is remembered as one of Miami's most prominent businessman and jewelry artisans, even after his death.

May he be remembered, not only on his street in Miami, but by the entire nation for his beautiful portrayals of a free Cuba.

IN HONOR OF JIM WINESTOCK

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. BISHOP of Georgia. Madam Speaker, I rise today to honor Jim Winestock, an outstanding Atlanta, GA, citizen who in February retired from a 40-year career with the United Parcel Service (UPS). In his most recent role as the Senior Vice President of U.S. Operations, Mr. Winestock was responsible for all package operations in the United States, including the pick up and delivery of more than 15.8 million packages each day. Mr. Winestock leaves a tremendous legacy of leadership, not only within the UPS organization, but in the business world in general.

A Greenville, SC, native, Mr. Winestock joined UPS in 1969 as a part-time package loader while attending Massey College in Jacksonville, FL. After graduation, he was promoted into management and worked in a broad range of jobs with increasing responsibility across Florida and Georgia. In 1992, he was promoted to vice president and Chief Operating Officer of the Northeast Texas District, then in 1996 he assumed responsibility for the Missouri District. Mr. Winestock was promoted again in 1998 to president of the Midwest Region, then became president of the North Central Region in 2000. In 2004, he was named Senior Vice President of U.S. Operations, the position he would hold for the duration of his UPS career.

Today I honor Mr. Winestock not only for his distinguished career, but also for his service that extends far beyond the meaning of his title. In addition to his responsibilities as Senior Vice President of U.S. Operations, Mr. Winestock served as the coordinator of UPS Corporate Schools, the company's management training program, and participated in the UPS Community Internship Program at the University of Tennessee-Chattanooga. In addition to his numerous career accomplishments, Mr. Winestock sits on the Board of Directors of the National Urban League and also is a trustee of the MARCH Foundation.

I am truly honored to be able to call Mr. Winestock a fellow Georgian. His hard work and dedication are rare traits. I thank him for his years of service and I wish him luck and Godspeed in the next phase of his life.

TRIBUTE TO SGT. MICHAEL ESPOSITO

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. ISRAEL. Madam Speaker, Today I honor the service and memory of Sgt. Michael Esposito, of Brentwood New York. On March 18th, 2004 Sgt. Esposito led his unit into a hostile compound, hoping to neutralize the threat from within. Working to secure the facility, Sgt. Esposito cleared three rooms, exposing himself to incredible danger by leading from the front of his team. Despite the presence of hostile fire, Michael approached a previously unidentified area, remaining ahead of his men. Sadly, the enemy engaged as he advanced, inflicting a mortal wound on Michael, and a grievous injury on all who knew him.

Sgt. Esposito's team—inspired by his courage and leadership—achieved their objective in the wake of tragedy. Assuming the lead position, as he so often did, Michael displayed the heroism that remains an inspiration to his fellow platoon members. On that day, and always, Michael displayed a willingness to put the welfare of others before his own. Through selfless acts of leadership, he provided an example to which all of us should aspire.

For Michael's bravery, sacrifice, and service, I am deeply thankful. For his enduring commitment to defending our safety and ideals, we are all deeply indebted.

On this, the five-year anniversary of Michael's tragic passing, the words of a brother in arms speak volumes about his character. His platoon leader, 1st Lieutenant James Howell, said of Sgt. Esposito ''[he] was one of the most selfless leaders I have ever known . . . The platoon, and especially all of his men, took his loss hard. It is impossible to forget a leader like Michael Esposito.''

A soldier, a friend, and a man of immense integrity, Michael will always retain a firm grasp on our memories. Today, our nation remembers the tragic loss of a cherished citizen, fallen hero, beloved brother, and adored son. Dedicated in his commitment to country and lasting in his impact on those blessed to have called him friend, Michael is and will forever be, sorely missed.

IN RECOGNITION OF THE WOMEN'S ISSUES NETWORK OF THE PANCYPRIAN ASSOCIATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mrs. MALONEY. Madam Speaker, I rise to honor the Women's Issues Network (WIN) of the Pancyprian Association of America. This month WIN honors Joanna Savvides as Woman of the Year and Evi Rafti and Eleftheria Saittis as Members of the Year at its annual dinner-dance.

Founded in 1996, WIN works on behalf of the Cypriot-American community to pave the way to success for future generations of Hellenic Americans and to promote Cypriot culture. WIN sponsors numerous cultural, health and educational programs, including breast and cervical cancer screenings for uninsured women. Additionally, WIN is committed to ending the decades-long Turkish occupation of Cyprus. This year, WIN honors the distinguished international entrepreneur Joanna Savvides. Born in Cyprus, Joanna immigrated with her family to America in 1980. She has served as President of the World Trade Center of Greater Philadelphia since its foundation in October 2002. Under her leadership, the non-profit helped 400 small and medium-sized companies expand on the international level, contributing to a surge in the volume of goods exported by businesses in New Jersey and Pennsylvania. She also serves as an adjunct professor at St. Joseph's University in Philadelphia. Renowned for her cross cultural and international business expertise, she is frequently sought after as a lecturer. Joanna serves as the President of the Cyprus Society of Greater Philadelphia and was a founder and director of the Cypriot Dancers of Greater Philadelphia. An accomplished linguist, her knowledge of six languages has proven invaluable in international trade. Joanna's achievements have been honored by many organizations. The Philadelphia Business Journal recognized her with the Women of Distinction Award. She has also been honored with the Global Business Award from the United Nations Association of Greater Philadelphia, the Global Leadership Award from the Consular Corps Association of Philadelphia, the Heritage Preservation Award from the Cyprus Society of Greater Philadelphia, and the Artemis Award from the European American Business Council. More than these many honors, however, Joanna cherishes her husband, George, and her children, Andreas and Renos.

WIN honors Evi Rafti as its Member of the Year for her efforts to further knowledge, understanding, and appreciation of Cypriot culture. Born the youngest of six children in Mosfiloti, Larnaca, she studied at Academia Thileon in Nicosia. Shortly after marrying her husband Christos, they immigrated to New York in 1969. Evi has retained a strong commitment to Cypriot culture as an active member of the vibrant Cypriot-American community in our nation's greatest city. During her years of volunteering, she has helped plan numerous special events such as parades, charity and non-profit fundraisers, and demonstrations. Over the past ten years, she has also served as a dedicated member of the Board of Directors of the Pancyprian Dance Group. The mother of three children, Panayiota, Tatiana, and Stavro, she has instilled in them a love of Cypriot culture by inspiring their participation in the Pancyprian Dance Group and youth groups, and the Eleftheria soccer team.

WIN honors Eleftheria Saittis as Member of the Year for her dedication to the Cypriot community. Born in the village of Agios Theodoros Karpasias (now under Turkish occupation), she graduated with a diploma in fashion design from the Professional School New Horizon in Famagusta. To continue her education, Eleftheria immigrated to New York. Her family joined her after the Turkish invasion of Cyprus in 1974. Eleftheria is a dedicated and generous member of the Cyprian community. She devotes much of her time and energy to serving on the Pancyprian Dance Group's Board of Directors. She also works as a teacher's aide for the New York City Department of Education. She is devoted to her husband, Michalis, and her children, Prodromos, Konstantine and Konstantina. One of her proudest moments occurred when she graduated from the City University of New York with her granddaughter Evangelia in attendance.

Madam Speaker, I request that my esteemed colleagues join me in paying tribute to the Women's Issues Network of the Pancyprian Association of America and its distinguished honorees, Joanna Savvides, Evi Rafti, and Eleftheria Saittis.

HONORING MRS. MARY ELLEN MENDELSOHN

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mrs. McCARTHY of New York. Madam Speaker, I rise today to recognize and honor my friend and colleague, Mrs. Mary Ellen Mendelsohn, upon her retirement from the Federal Government. Public service is one of the most honorable and important professions an individual can choose. Mrs. Mendelsohn is at the top of her profession, working on campaigns and in government offices for more than 25 years.

Mrs. Mendelsohn earned her degree at Boston University and later went on to become District Director to former US Congressman Robert Mrazek. She later worked as Mr. Mrazek's Deputy Campaign Director during his bid for the United States Senate.

Mrs. Mendelsohn later became the President, MC Communications, a Public Relations and Intergovernmental Affairs Firm, assisting clients like the Town of Huntington, Child Abuse Prevention Services of Long Island, Housing All Americans, and the Columbia University Department of Oral History obtain grants from the public and private sector. All the while, she simultaneously and effectively managed campaigns for Hynes for New York State Attorney General and raised funds for New York State Assemblyman Thomas DiNapoli.

After successfully assisting Brooklyn DA Charles J. Hynes, Mrs. Mendelsohn was appointed the Director, Government and Community Affairs, Office of the District Attorney, Kings County, New York. She remained in this

position until deciding to move on to private consulting for such clients as Cancer Cured Kids, John Bryant for Senate, Coalition for Peoples Choice and last but not least a Campaign Consultant for "McCarthy for Congress."

Mary Ellen came to work for me and the US House of Representatives as my District Director and Political Advisor in January 1997. I came to depend on Mary Ellen's breadth of knowledge to brief me and my Washington Staff on issues that directly affect my district. Her reputation has surpassed the confines of the Long Island office. My staff and I enjoyed a wonderful relationship with Mary Ellen, who is a pleasure and a delight to work with.

You only have to meet Mary Ellen once to realize that she is smart, funny and above all else, genuine. She is a daughter, sister, wife, mother, grandmother and friend. She is the best kind of friend. She laughs at your jokes, sings and dances spontaneously, listens to your tales of glee or woe with the same intensity. She helps you feel strong when you feel weak and found when you feel lost. She is the friend everyone should have. We are blessed.

Madam Speaker it is with great admiration, pride and respect that I acknowledge and thank Mary Ellen for her work in public service and friendship.

PERSONAL EXPLANATION

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. LUETKEMEYER. Madam Speaker, I would like to state for the record my position on the following votes I missed on March 16, 2009 due to the delay of my flight from Missouri.

On Monday, March 16, 2009 I missed Rollcall votes 125, 126, and 127. Had I been present, I would have voted "aye" on rollcall votes 125, 126, and 127.

EARMARK DECLARATION

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. BILBRAY. Madam Speaker, I submit the following:

Requesting Member: Congressman BRIAN BILBRAY

Bill Number: H.R. 1105, the FY2009 Omnibus Appropriations bill

Account: Department of Transportation, Federal Highway Administration, Interstate Maintenance

Legal Name of Requesting Entity: City of Encinitas, CA

Address of Requesting Entity: 505 S. Vulcan Avenue, Encinitas, CA 92034

Description of Request: I secured $285,000 in the FY 2009 Omnibus Appropriations bill for the Encinitas Boulevard/Interstate 5 Interchange Project Study Report, Project Report, and Environmental Review. The City of Encinitas is contracting with an engineering consultant to prepare a Project Study Report, Project Report and Environmental Document for the Encinitas Blvd/I–5 Interchange. The consulting firm (Dokken Engineering) is working with CALTRANS and the City of Encinitas staff to study and develop viable alternatives for four Interstate 5 interchanges, including the Encinitas Boulevard interchange. Unless the City can fund this study, Caltrans will move ahead with an environmental review and design on their "minimum build" alternative for this interchange, which assumes no under crossing widening and some roadway improvements, while maintaining the existing diamond interchange configuration. Encinitas Boulevard must be widened as part of the North Coast Interstate 5 Corridor (widening) Project or the City will suffer significant traffic congestion at this location by 2030 and probably much sooner. If the City is to have any hope of later integrating its alternative, we need to keep pace with the Interstate 5 widening project.

Requesting Member: Congressman BRIAN BILBRAY

Bill Number: H.R. 1105, the FY2009 Omnibus Appropriations bill

Account: Department of Transportation, Federal Highway Administration, Interstate Maintenance

Legal Name of Requesting Entity: City of San Diego, CA

Address of Requesting Entity: 202 C Street, San Diego, CA 92101

Description of Request: I secured $475,000 to fund relocation of fiber optic cable that is obstructing a major interstate highway interchange improvement project to connect I–5 with S.R. 56 in San Diego. The I–5 corridor is the primary link between Southern California—San Diego, Los Angeles, Orange County—and Mexico. The route experiences extensive traffic congestion, with average daily counts at the interchange site of 261,000 vehicles, including 10,000 trucks, projected to reach 430,000 daily vehicles within 20 years. The project is consistent with the authorized purpose of the Department of Transportation Interstate Maintenance account, which includes funding for the addition of new interchanges. Local and State matching funds will provide at least 20% cost share.

CELEBRATION OF WOMEN'S HISTORY MONTH AND THE NETWORK JOURNAL'S ELEVENTH ANNUAL 2009 TWENTY-FIVE INFLUENTIAL BLACK WOMEN IN BUSINESS HONOREES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. RANGEL. Madam Speaker, I rise today in celebration of Women's History Month and The Network Journal's Eleventh Annual 2009 Twenty-Five Influential Black Women In Business Honorees. Since 1998, The Network Journal has recognized the outstanding performance of 25 African-American women in the public, private, entrepreneurial and nonprofit sectors throughout this nation and their impact to the world economy.

The Network Journal is a monthly business magazine with more than 88,000 readers. The publication is distributed nationwide with a focus on the Tri-state area (NY/NJ/CT) and features business articles of interest such as finance, technology, industry focus and ideas for Black professionals and small business owners. Aziz Gueye Adetimirin, Publisher of The Network Journal Magazine stated. "The women we are honoring this year are in the forefront of American leadership and symbolize the diversity and advancement that has occurred across industry lines." Founded in 1993, The Network Journal (TNJ) knows that Black professionals, more than most, recognize the importance of owning their own enterprises, but more importantly, TNJ knows that there is a difference between direct ownership and someone else defining your future. TNJ is also aware that Black professionals and entrepreneurs can chart their own course and own their success.

I am pleased to recognized TNJ's 2009 Twenty-Five Influential Black Women In Business Honorees:

Marcella Maxwell Ed.D., former Director of Development and Government Affairs Concord Family Services, Brooklyn, NY; Vernã Myers Esq. Principal, Vernã Myers Consulting Group L.L.C., Newton, Mass.; Irma Norris, Production Executive, Harpo Productions, Inc. Chicago, Illinois; Valerie Oliver-Durrah, President/CEO, Neighborhood Technical Assistance Clinic, Brooklyn, NY; N. Joyce Payne Ph.D., Founder, Thurgood Marshall College Fund, New York, NY; Cheryl Pegus M.D., Chief Medical Officer, SymCare Personalized Health Solutions, West Chester, Pa.; Karen Rafferty, Product Marketing Director, Chevrolet Midsize and Sports Cars, General Motors Corp., Detroit.

The Network Journal has been recognized by government agencies, premier media outlets and business and professional organizations. TNJ has received the "Outstanding Commitment and Positive Contribution to the MBE Community" from the U.S. Department of Commerce Minority Business Development Agency, and has been featured on CNN and FOX Television networks.

EMORY UNIVERSITY

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. LEWIS of Georgia. Madam Speaker, people are hurting right now, in Atlanta and across the country. It is in times like this that we need to help our neighbor. Volunteerism in these tough times is critical; that is why I want to highlight the work Emory University, in my district, is doing. Emory University has a strong history of reaching out to the community and engaging in projects to help people in need. Emory students completed nearly 150,000 hours of service in 2008, partnering with more than 200 community partners on projects related to poverty, homelessness, medical services and environmental conservation. The University's dedication to service reflects the desire in many of our students across the nation to get involved in and give back to their communities. America's young people have always been an integral part of the success of our country, and I am especially proud of Emory University's dedication to service.

Each year, the Corporation for National and Community Service recognizes institutions of higher education for exemplary efforts to engage students in service learning, community

partnerships, and volunteer service by publishing The President's Higher Education Community Service Honor Roll. At the top of the Honor Roll is a small group of institutions of higher education who are given the Presidential Award for General Community Service. I am proud to announce that Emory has been awarded the 2008 Presidential Award. This is the highest award possible for a college or university with respect to community service and student engagement. I want to recognize and thank Emory University for its commitment to giving back to the community and fostering a sense of service among its students.

Congratulations to Emory University on being honored as a recipient of the 2008 Presidential Award for General Community Service.

HONORING THE SERVICE AND SACRIFICE OF UNITED STATES AIR FORCE STAFF SERGEANT TIMOTHY BOWLES

HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Ms. GIFFORDS. Madam Speaker, I rise today to honor United States Air Force Staff Sergeant Timothy Bowles, who was killed in action with three fellow Airmen when his armored vehicle struck a buried IED near Kot, Afghanistan on March 15, 2009. He leaves behind father, his Louis, a Retired Airman, his mother, Lisa, and a sister, Heather.

Born in Anchorage, Alaska, Timothy grew up on Davis-Monthan Air Force Base and lived much of his life in Tucson, where his father was stationed. Timothy graduated from Tucson High School in 2002 and attended Pima Community College before joining the Air Force in 2007. Staff Sergeant Bowles was assigned to the 3rd Logistics Readiness Squadron at Elmendorf Air Force Base back in Alaska, where he was trained to be a fire truck mechanic. But on this day, he volunteered to stand in for a fellow airman who was not feeling well.

Timothy's Provincial Reconstruction Team was headed out to Jalalabad to check on a local schoolhouse when a pressure-plate IED ended his life. He was only twenty-four years old.

Born to and raised among the United States Air Force, Staff Sergeant Bowles knew well the costs of war. He volunteered for the nine-month deployment that took him to Bagram Air Base in November 2008. He volunteered for this dangerous duty. Tying humanitarian support to local security, Timothy and his PRT teammates stood between civilians and insurgents as Afghans seek to rebuild their long-oppressed country.

We remember Sergeant Bowles and offer our deepest condolences and sincerest prayers to his family. My words cannot effectively convey the feeling of great loss nor can they offer adequate consolation. However, it is my hope that in future days, his family may take some comfort in knowing that Timothy's legacy reaches beyond the desolate landscape of Afghanistan and into the hearts of a grateful nation.

This body and this country owe Timothy and his family a debt of gratitude and it is vital that we remember him and his fellow servicemembers who have paid the ultimate price.

Timothy is a hero both to his country and to his wonderful family. We salute his selfless service, sacrifice and bravery. May he not be forgotten and may his mission continue in the work of this body and the hearts of all Americans.

TRIBUTE TO BERNARD CATCHER

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. WEINER. Madam Speaker, I rise today to join the many residents of my district in recognizing the works and accomplishments of Bernard Catcher who will be honored for his service on March 20th as a "Good Friend and Temple Benefactor" at Temple Shalom's Shabbat Across America Dinner. Bernard Catcher is a man known to me for his hard work and dedication to Brooklyn residents and his sound advice and counsel to those seeking political or community insight. Bernard Catcher's service and reach is legendary. He is the Democratic District Leader of the 59th Assembly District, the head of the Thomas Jefferson Democratic Club, advisor to the Thomas Jefferson Young Democrats and has served as a delegate to the Democratic National Convention. His concern for our communities knows no bounds and stretches over many years. He has served as District Manager of Planning Board 18, serves as the Government Liaison to Coney Island Hospital, and is an accountant by trade. He is active in, and has been recognized by, many local civic organizations from Marine Park to Canarsie and has been honored as "Man of the Year" by the Mill Island Civic Association, among others, for his service. Even with all his other activities Bernard Catcher always finds time and energy to dedicate to Jewish causes and take pride in his Jewish roots. He has served as an officer in the local Bnai Brith and serves as a member of the Board of Trustees of Temple Shalom of Flatbush. Always one to shy away from recognition preferring to do his work behind the scenes, I am honored and privileged to have this opportunity to publicly acknowledge the force of nature that is Bernard Catcher and offer my best wishes on his being named "Good Friend and Benefactor" at the Shabbat Across America Dinner at Temple Shalom on March 20th, 2009.

TRIBUTE TO LIEUTENANT GENERAL WILLIAM F. PITTS

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. CALVERT. Madam Speaker, I rise to pay tribute to a hero from my congressional district, Lieutenant General William F. Pitts. Today, I ask that the House of Representatives honor and remember this incredible man who dedicated his life in service to our country. On Tuesday, December 30, 2008, Lt. Gen. Pitts passed away at the age of 89.

Lt. Gen. Pitt's father was a career military officer, and Lt. Gen. Pitts was born at March Field Hospital, located in Riverside, California, on Thanksgiving Day 1919. When he was 10 years old, Lt. Gen. Pitts took his first airplane ride and vowed to become an Air Force pilot. In 1943, he graduated from West Point and flew 25 World War II missions against Japan in a B–29 Superfortress. In his last mission in the bomber, he was shot down off the coast of Japan but was able to parachute out of the plane and was rescued by a submarine.

After Lt. Gen. Pitt's heroic service during World War II, he was steadily promoted and earned three stars. He served as a NATO commander in Turkey, four tours at the Pentagon and also as a diplomat in Cuba, Haiti, the Dominican Republic, England and Taiwan. In 1972, Lt. Gen. Pitts returned to March Air Force Base as the Commander of the 15th Air Force. His military decorations and awards include the Distinguished Service Medal, Legion of Merit with an oak leaf cluster, Distinguished Flying Cross with one oak leaf cluster, Air Medal with three oak leaf clusters, Air Force Commendation Medal with one oak leaf cluster, the Distinguished Unit Citation Emblem with one oak leaf cluster and the Purple Heart.

In 1975, Lt. Gen. Pitts retired from the Air Force and he and his wife, Doris, made Riverside their permanent home in the 1990s. He was active in the March community during his retirement, helping to keep the base open during the Base Realignment and Closure process. In honor of his efforts, March erected a stone post at the parade grounds on the base. He was also a board member of the March Field Museum.

On December 22, 2008, Lt. Gen. Pitts celebrated his 60th anniversary with his wife Doris. He is survived by his wife; daughters Cowgill, Alisha and Linda; sister Nanetta Atkinson; and four grandchildren.

As we look at the incredibly rich military history of our country we realize that this history is comprised of men like Lt. Gen. Pitts who bravely fought for the ideals of freedom and democracy. Each story is unique and humbling for those of us who, far from the dangers they have faced, live our lives in relative comfort and ease. Lt. Gen. Pitts was a dear friend and above all, he was a patriot. He will be sorely missed but his legacy and service to our great nation will always be remembered.

RESOLUTION REGARDING GIRLS' ACCESS TO EDUCATION IN PAKISTAN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mrs. MALONEY. Madam Speaker, I rise today to introduce a resolution expressing the strong concern of the House of Representatives about the actions of the Taliban in Swat, Pakistan to restrict girls' access to education. In the past year, the deliberate destruction of hundreds of schools for girls has forced more than 40,000 young women to forego schooling. This resolution would urge the Government of Pakistan to act swiftly to halt and reverse the Taliban's unconstitutional ban on education for girls. It also encourages the Secretary of State to review and report on Pakistan's progress in protecting the rights of

women, as well as on the actions of the United States Government in providing support for this goal.

In the past few weeks there have been negotiations between the Pakistani government and the Taliban in an effort to broker a peace deal. At the heart of the ceasefire agreement is a pledge to impose Islamic law in the area. Government officials have said that this law will be in accordance with Pakistan's constitution, and will restore security and justice in the region. However, the accord makes no mention of the future of girls' education. Women and girls are a great resource for promoting development, prosperity, and peace. The United States must ensure that explicit measures are taken to protect women's rights in Pakistan, in order to uphold internationally recognized human rights while supporting regional peace and stability.

IN COMMEMORATION OF WOMEN'S HISTORY MONTH

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. AL GREEN of Texas. Madam Speaker, I wish to commemorate the month of March 2009 as Women's History Month in honor of the female trailblazers and unsung heroes in American history.

H. Res. 211, Supporting the goals and ideals of National Women's History Month, is intended to increase awareness and knowledge of women's involvement in history, as well as recognize and honor the women and organizations in the United States that have fought for and continue to promote the teaching of women's history.

In the United States, Women's History Month has been celebrated during the month of March since 1987. The National Women's History Project petitioned Congress to increase awareness and knowledge of women's contributions to our great society, because women's history was a practically unknown topic in schools and public awareness.

Women from all different backgrounds, races, social classes, and ethnicities have contributed significantly to the greatness of our nation, and have transformed and revolutionized politics, law, business, social service, civil rights, education, music, athletics, science and technology, as well as the military. Women have been leaders in numerous movements throughout history, such as the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, the peace movement, and the women's movement in the struggle to obtain suffrage and equal rights. The contributions of notable women such as Susan B. Anthony, Clara Barton, Harriet Tubman, Dorothy Height, Coretta Scott King, Sally Ride and numerous others have sparked an unstoppable momentum for women's rights and others. Their dedication, perseverance and courage have generated a wave of opportunities for entire generations of women.

It is essential that all Americans continue to learn about the many ways women have assisted in the progress of our nation, and acknowledge and celebrate the contributions of women throughout history.

Therefore, I urge my colleagues and all Americans to commemorate women for their significant involvement and participation in our nation's history, by recognizing and supporting March as Women's History Month.

TRIBUTE TO ELDER DAVID J. YOUNG

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. MOORE of Kansas. Madam Speaker, I am pleased to have this opportunity to pay tribute before the House of Representatives to Elder David J. Young of the Church of God in Christ, who formed the first church of this denomination in the state of Kansas and served as an important, early spiritual leader in our community.

The first Church of God in Christ in the state of Kansas was organized in Kansas City, Kansas, on September 23, 1916, at 409 Oakland by Elder David J. Young, with a charter membership of some twenty members. Less than two years later, in the early summer of 1918, it was destroyed by a fire set by an arsonist. Undaunted by this act of violence, Elder Young pushed forward, holding services under a nearby large shade tree, and later in the homes of charter members and other buildings until a new structure was built.

Later, in 1960, a new church was constructed at 2401 North 9th Street, erected to the glory of the Lord as a "Living Monument for which Holiness Stands", and in honor of Elder Young. On October 9–11, 2008, the D.J. Young Heritage Foundation hosted a revival, paying tribute to Elder Young and other pioneers of the Church of God in Christ. I am pleased to have this opportunity to share my support for this tribute by placing into the CONGRESSIONAL RECORD a biographical sketch of Elder David J. Young, which was provided by the D.J. Young Heritage Foundation.

DAVID JOHNSON YOUNG

David Johnson Young was born in approximately 1861, in Chester, South Carolina. Raised in the war-ravaged South, young David ascended to unimaginable heights amid a climate of severe racism and oppression of African Americans. Early on, his parents perceived that young David was exceptionally gifted and determined to use their meager means to afford him the education that would prove invaluable for his life and the countless lives he would impact through teaching and ministry.

He initially attended a country school with his siblings but went on to graduate from Brainard Institute and Morehouse College. David then set out to bring hope to his fellowman through education. With illiteracy one of the most devastating problems in the aftermath of slavery, David Johnson Young brought access to a better future for many during his career as an educator. Even later in his life as a preacher, he would come to be recognized for his emphasis on formal education in ministerial service.

Still more remarkable was the life changing message of hope brought by his fiery preaching of the Gospel of Jesus Christ. Beginning as a young preacher in the AME Zion Church, Elder Young grew to be a widely known and sought after minister in the South. He was also an editor of the official organ of the AME Zion Church, the Star of Zion. Elder Young met his call to preach with great fervor, evangelizing and serving as pastor in various states including North Carolina, South Carolina, Florida, Mississippi, Indiana, Illinois, Georgia, Alabama and Tennessee.

In 1897, he was joined with Priscilla Louise Jones in marriage, another stalwart of the faith. Mother Young served as a true helpmate, covering and supporting D. J. with much prayer and fasting. At times she even supported the family with the small wages she earned as a music teacher while he was out working on the evangelistic field. To their union were born Harold, Melvin, Ceolya, Valleda, Russel, William, and Rosette. As with other great leaders of the faith, their ministry began in the home, where Mother Young taught each of their children how to play two instruments. For example, their eldest son, Harold, played the piano and guitar while the second oldest, Melvin, was skilled in the piano and violin. In fact, when they were yet small boys, Elder Young often carried them with him on evangelistic crusades where they would draw crowds in public areas, such as parks, with their Holy Ghost filled praise and testimony services prior to their father's sermon. With their father as their teacher in the faith, they soon acquired the name, "little boy preachers." After D. J. Young's demise, Mother Young and their children would take upon them the mantel once carried by D. J. Young with the various ministries he began during his latter years.

Despite his many successes, David perceived the need to ascend to the "higher life" and grew increasingly troubled until he submitted to God's divine purpose for him to be sanctified. With his background in Methodism he had received teaching on the sanctifying power of the Holy Ghost and God's command for all His children to live holy. However, it was during his pastorate in Chicago, IL, around the turn of the century, that he became associated with a holiness group known as the Burning Bush people and received the divine, life changing experience of sanctification. Sanctification is the work of the Holy Spirit in cleansing the believer from all inbred sin, purifying their heart and filling them with love for God and all people. Having thus been "sanctified and meet for the Master's use," 2 Timothy 2:21, Young set out to share his testimony and declare God's wonderful plan. David better understood that God made a way for men to be justified by faith in Jesus Christ. Yet, He didn't stop there. For God also provided the means for His children to live holy, separated unto Him, and freed from the very power or slavery of sin. In truth, His will is for man to be restored to the glorious image of God (Col. 3:10, Eph. 4:24, 2 Cor. 3:18—note the active role of the believer).

Indeed the message of sanctification, also called perfection or holiness, had already started to sweep the nation, reaching into nearly every mainstream denomination. As a result scores of 'Saints' left their denominations to form new religious bodies. Such was the case with Elder Young who, in approximately 1902, after graduating from the Burning Bush Holiness Bible School, left the AME Zion Church and became a mighty trailblazer in the Holiness Crusade. He carried this new message far and near, preaching conversion and sanctification.

His path ultimately met with that of Charles Harrison Mason, a former Baptist preacher, who also joined the ranks of ministers who preached sanctification. Their bond grew as D. J. Young joined the group of holiness preachers with which Mason was affiliated. This group of Saints, led by Charles Price Jones, was a leading force in the rapid spread of the Holiness Movement in the South.

In 1907, Mason and Young, along with one of their brethren, J. A. Jeter, started out on a spiritual journey that would impact the world when the Lord led them to the famed Azusa Street Revival, in Los Angeles, California. Led by Bishop William J. Seymour, the small mission was a holiness group who had taken a grand leap of faith in believing God for a Pentecostal outpouring as recorded in Acts 2:4, ''And they were all filled with the Holy Ghost, and began to speak with other tongues as the Spirit gave them utterance.'' Faithful to His promise, God poured out His Spirit and the once small group grew in number at a miraculous rate. Believers left various states and even foreign lands to take the pilgrimage to Azusa where they were ''Baptized with the Holy Ghost,'' and experienced the only Bible evidence, speaking in unknown tongues. In addition to this gift, the Lord poured out His Spirit, with signs such as miraculous healings. One of the most remarkable features of this wonderful move of God, however, was the presence of unity in the Spirit as believers cast away racism, sexism, classism, and various other sins that find no place in the Body of Christ.

One glorious day during this historic move of God David Johnson Young was also graced with the precious Baptism of the Holy Ghost. Having all received the new gift, the three men journeyed back to Memphis leaving a blazing trail along their way as they preached conversion, sanctification, and the Baptism of the Holy Ghost. However, they were met with severe disapproval. Ultimately, Jones and the official body of believers he led, withdrew the right hand of fellowship from them. Undaunted by this rejection by men and thoroughly convinced of their commission by God, Charles Harrison Mason and David Johnson Young called an assembly that same year, gathering all those who believed as they. At this meeting, the brethren considered who would oversee the new Holy Ghost led Group and Young was one who many considered worthy of this awesome task. According to oral tradition, after three days of fasting and praying, God spoke through that same servant, D. J. Young, who yet spoke in tongues and was given the interpretation: ''God has given us Brother Mason to be our leader.'' This gathering was the first national Holy Convocation of the Church of God in Christ.

After receiving this word from God, the fledgling denomination was planted in Memphis, TN, but quickly spread its roots throughout the country. D. J. Young served as a leading instrument through his apostolic church building. He was known and referred to as one of Mason's ablest assistants during these formative years. With building churches as his passion, Young was appointed the first Overseer, or Prelate, of Arkansas, Texas, and Kansas. In 1910, while engaged in apostolic work for the Kingdom, the Lord blessed D. J. Young with an invention, ''The Young Musical Attachment for Automobiles,'' which was patented first in Canada and later the US. This tool proved invaluable as it complemented his gifting as a musician during his evangelistic travels, allowing him to ''produce harmonious chords'' as he played music from his very own automobile. He also served as the pioneer publisher of the Church of God in Christ with the founding of the D. J. Young Publishing Company when the Lord burdened him with the call to spread the full gospel in print via ''The Whole Truth.''

In 1916, elder Young made his way to his final earthly dwelling in Kansas City, Kansas. Here he founded the first Church of God in Christ, Young Memorial Church of God in Christ, in the state, and immediately began working to publish the first Sunday School literature for the still young denomination. He continued this task, supplying many of the early Saints with Spirit filled teaching, until his demise. Before the time of his going from his labor to his reward, in 1927, David Johnson Young, was successful in building the D. J. Young Publishing Company into a much honored source of gospel literature and established more than twenty-five churches in Kansas. His works, however, live on as evidenced by the thousands of souls he led to Christ, the incredible growth of the Church of God in Christ, which he was instrumental in building, and the phenomenal leaders he helped nurture in the Christian Church at large.—Ladrian Brown.

PERSONAL EXPLANATION

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, unfortunately, I was unable to be present in the Capitol on Monday, March 16, 2009 and therefore unable to cast votes on the House Floor that evening.

However, had I been present I would have voted yea on H.R. 1284, to designate the facility of the United States Postal Service located at 103 West Main Street in McLain, Mississippi, as the ''Major Ed W. Freeman Post Office''; yea on 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''; and yea on H.R. 987, to designate the facility of the United States Postal Service located at 601 8th Street in Freedom, Pennsylvania, as the ''John Scott Challis, Jr. Post Office.''

In addition, on Wednesday, March 18, 2009, I was attending a meeting with President Obama at the White House with many of my colleagues in the Congressional Hispanic Caucus when votes were called. Unable to return to the Capitol in a timely fashion, I missed two votes. However, had I been present, I would have voted yea on ordering the previous question on H. Res. 250, to provide for the consideration of the bill (H.R. 1388), to reauthorize and reform the national service laws; and I would have voted aye on H. Res. 250, to provide for the consideration of the bill (H.R. 1388), to reauthorize and reform the national service laws.

HONORING THE SERVICE AND SACRIFICE OF UNITED STATES ARMY SERGEANT JEFFREY A. REED

HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Ms. GIFFORDS. Madam Speaker, I rise today to honor United States Army Sergeant Jeffrey A. Reed, who was killed in action near Taji, Iraq on March 2, 2009.

Sergeant Reed was assigned to the 411th Military Police Company, 89th Military Police Brigade, from Fort Hood, Texas. His mission in Iraq was to mentor Iraqi Police units so that they could effectively maintain the peace as we withdraw our forces in the coming months.

Jeffrey was just 15 days from completing his second tour in Iraq and returning to Tucson, where he and his wife Ashley reside. A Chesterfield, Virginia native, Jeffrey joined the Army shortly after he graduated from high school in 2004, following the example of his older brother, who left college to sign up with the Army after the Sept. 11 attacks.

He was part of a routine patrol just north of Baghdad when a grenade ended his life. Jeffrey was just 23 years old.

We remember Sergeant Jeffrey Reed and offer our deepest condolences and sincerest prayers to his parents and young wife. My words cannot effectively convey the feeling of great loss nor can they offer adequate consolation, but it is my hope that in future days, his family may take some comfort in knowing that Jeffrey's legacy reaches beyond the desolate landscape of Iraq and into the hearts of a grateful nation.

This body and this country owe Jeffrey and his family a debt of gratitude and it is vital that we remember him and his fellow servicemembers who have paid the ultimate price.

Jeffrey is a hero both to his country and to his wonderful family. We salute his selfless service, sacrifice and bravery. May he not be forgotten and may his mission continue in the work of this body and the hearts of all Americans.

INTRODUCTION OF THE TAKE BACK ACT

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Ms. MOORE of Wisconsin. Madam Speaker, my constituents have been rightfully outraged to hear that the very unit at AIG that was at the center of that company's failure is being showered with $165 million in bonuses, with some individual bonuses to executives there being upwards of $1 million. Considering that the taxpayers have made a commitment of significant funds to AIG as part of the federal government's efforts to rescue credit markets, extravagant bonuses to these individuals are simply unconscionable.

This afternoon I am introducing The AIG Key Executives Bonus Accountability and Capture Act (TAKE BACK Act) that will tax 100 percent of the bonuses paid out to AIG executives. The tax, which would apply to bonuses paid by TARP money, is being introduced in an effort to ensure taxpayers' dollars are not utilized to fund enormous bonuses paid to companies that receive TARP funding.

The fact that some on Wall Street have sought to exploit the public tax dollars is not only outrageous but is an egregious violation of the public's trust. If the leadership of companies that receive TARP funds are determined to waste taxpayer dollars on extravagant bonuses then I believe we as taxpayers—who significantly subsidize these same companies—have the right to recoup those funds.

Under the TAKE BACK Act, any entity that received assistance under the Emergency Economic Stabilization Act of 2008 would find its bonuses subject to a tax rate of 100 percent.

There are so many people in my community who have lost their jobs and are facing extremely tough times. For taxpayer dollars to go towards bonuses for individuals who have played a key role in our economic downturn is simply unacceptable.

HONORING THE DAMAS DE BLANCO (THE LADIES IN WHITE)

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, I rise today to honor the Damas de Blanco (the Ladies in White) a peaceful pro-democracy group of women in Cuba dedicated to creating awareness of the political realities, human rights violations and lack of basic freedoms on the island.

Today marks the 6th anniversary of the Black Spring in Cuba, in which 75 human rights activists, independent journalists, librarians, economists and pro-democracy leaders were jailed for simply expressing their opposition to the lack of political freedoms on the island. All were unfairly sentenced to an average of 25 years in Castro's gulag and 55 still languish there today.

The Damas de Blanco consists of the wives, mothers, daughters, sisters and nieces of these 75 dissidents. The group came together soon after the crackdown. Each day, these courageous women protest the imprisonment of their loved ones, call for their immediate release and the release of all political prisoners in Cuba, and seek to draw international attention to the lack of basic freedoms on the island. They wear white to symbolize innocence and purity, attend mass each Sunday, and walk through the streets of Cuba in peaceful protest.

The group has been internationally recognized and in 2005 was awarded the Sakharov Prize for Freedom of Thought, alongside Reporters Without Borders and human rights lawyer Hauwa Ibrahim, by the European Parliament. Members of Damas de Blanco were banned from attending the award ceremony in France by the Cuban regime.

The Damas de Blanco are a voice for the hundreds of political prisoners in Cuba and those who live in the shadows of oppression. With unprecedented courage and bravery, they take to the streets each day and risk their own lives in order to draw attention to the harsh realities in Cuba. As we celebrate Women's History Month, I ask you to join me in honoring the Damas de Blanco, remembering the 75 jailed dissidents of the Black Spring in Cuba and all of Cuba's political prisoners, and standing in solidarity with the Cuban people.

IN RECOGNITION OF THE PANPAPHIAN ASSOCIATION OF AMERICA ON THE OCCASION OF ITS ANNUAL DINNER-DANCE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mrs. MALONEY. Madam Speaker, I rise to pay tribute to the PanPaphian Association of America. Founded more than two decades ago by Hellenic Cypriot Americans of Paphian ancestry, it has carried out its vital educational, cultural, charitable, and humanitarian mission while promoting peace, unity, and understanding on Cyprus.

The Association is holding the 8th Annual Evagoras Pallikarides Award of Merit dinner-dance this month. The Evagoras Pallikarides Award is being presented to Panicos Papanicolaou. Born and raised in Nicosia, he came to the U.S. after serving in the Cypriot National Guard. He earned Bachelor of Science and Masters degrees at the New Jersey Institute of Technology (NJIT), then obtained a research position there, developing technology for the cleanup of toxic soil. A principal of JF Contracting, a Brooklyn construction and engineering firm, he is affiliated with the American Society of Civil Engineers, the National Society of Professional Engineers, and the Civil Engineering Honor Society. The Supreme President of the Cyprus Federation of America, Vice President of the Cyprus Children's Fund, and an Archon of the Ecumenical Patriarchate, he also serves on the Greek Orthodox Archdiocesan Council, the Advisory Board of Queens College, and as a supporter of St. Basil's Academy, the Albert Dorman Honors College at NJIT, and the Harvard School of Public Health. Prior to becoming the Federation's Supreme President, he was Chairman of the Justice for Cyprus Committee. A recipient of the Ellis Island Medal of Honor, he was the 1995 Bronx Businessman of the Year. He is devoted to his wife, Nasia, and his daughters, Elizabeth and Elena.

The PanPaphian Association is awarding the Distinguished Fellow Cyprian Award to Elena Maroulleti. Born on Cyprus in Nicosia, she grew up in Famagusta before immigrating to the U.S., where she founded "The Vraka," a folk-dancing group that later became the Cypriot Emigrants Cultural Association. Under her leadership, it mounted live performances relating to Cypriot folklore, culture, theater, dance, and music. She is an accomplished journalist, having served on the main production team of ABC News for more than twenty years. After volunteering her time as a host of radio programs pertaining to Cyprus and Greece for five years, she founded AKTINA Productions, a non-profit cultural and educational organization dedicated to the promotion and preservation of the Hellenic cultural heritage through radio, television, live performances, and other media. It sponsors AKTINA FM, a bilingual radio show, and AKTINA TV, an English language show, which reach audiences of hundreds of thousands. Both programs focus on Hellenes' rich cultural heritage as well as news and current events in Cyprus, Greece, and America. In 2002, Ms. Maroulleti was awarded the "Women of Achievement Pace Setter Award" by the New York City Council Speaker Peter F. Vallone, Sr. She is the founder and President of the Ethnic Broadcasters Action Committee, which represents all ethnic broadcaster-produced programs on WNYE, New York City's publicly owned television station. She is happily married to Tom Stouras and devoted to Caroline Ioannou, her daughter from a previous marriage.

The Member of the Year Award will be given to Mr. Nicos Paphitis, who was born in Morfou, Cyprus. While serving as an officer in the Cyprian military police, he played professional soccer with the team Keravnos Strovolou. He came to the U.S. in 1983, earned a Bachelor of Science degree in accounting from the City University of New York, and returned to Cyprus to work for Laiki Bank until 1998, when he was returned to New York to become the Bank's chief representative. Currently a Business Development Manager with Piraeus Bank and a 2nd Vice-President of the Cyprus Federation, he is devoted to the Hellenic American community and institutions like Saint Demetrios School and the American Hellenic Educational Progressive Association, as well as his wife, Evie, and his children, Andreas and Marilena.

Madam Speaker, I ask that my distinguished colleagues rise to join me in paying tribute to the PanPaphian Association of America and its 2009 honorees.

CELEBRATING PROCTER & GAMBLE MANUFACTURING COMPANY'S 40TH BIRTHDAY IN CENTRAL LOUISIANA

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. ALEXANDER. Madam Speaker, I am proud to honor the Procter & Gamble Manufacturing Company in Pineville as it celebrates its 40th birthday in Central Louisiana.

In July 1969, Procter & Gamble Manufacturing Co. first began operations in the area on a 112 acre site about seven miles north of Alexandria/Pineville. Originally built to supply synthetic dry powder detergents, the Procter & Gamble Alexandria plant was just one of 12 plants in operation in the United States at the time.

Through the years, the Procter & Gamble Manufacturing Co. has consolidated their business down to two dry laundry sites, and is now shipping to more than half of the U.S. from the Louisiana location.

In 2005, the company announced the expansion of this particular plant site to manufacture both dry and liquid detergents, essentially doubling the size of the facility. This dynamic growth required an investment of over $220 million and added more than 185 permanent employees.

Today the plant retains approximately 400 direct contract employees, in addition to an average of 1,200 indirect staff. The company credits these individuals as its greatest asset.

The Procter & Gamble Manufacturing Co. has an impressive track record of success in Central Louisiana. I am confident the remarkable progression of this plant will continue to provide great opportunities for the residents of this area.

It is with deep appreciation for this plant's many contributions to the 5th Congressional District that I commend the Procter & Gamble Manufacturing Co.

I ask my colleagues to join me in honoring the 40th birthday of the Procter & Gamble Manufacturing Co. in Pineville as it continues its faithful commitment to building not only a stronger Louisiana, but a stronger national economy.

LISTING OF CONGRESSIONAL APPROPRIATIONS INITIATIVES

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. YOUNG of Florida. Madam Speaker, pursuant to the House Republican standards on Congressional appropriations initiatives, I am submitting the following information regarding projects that were included at my request in H.R. 1105, the Fiscal Year 2009 Omnibus Appropriations Act:

BAYCARE HEALTH SYSTEM ELECTRONIC HEALTH RECORD INITIATIVE

Account: Health Resources and Services Administration, Health Care-Related Facilities and Activities.

Legal name and address of requesting entity: BayCare Health System, 16331 Bay Vista Drive, Clearwater, FL 33760.

Description of request: $523,000 is included in the bill for BayCare Health System to incorporate a hand held prescription drug order system into its ongoing electronic health record initiative. BayCare will develop a medication order entry project for physicians, which is a sub-component of a much larger Electronic Health Record initiative for BayCare Health System. The demonstration project involves the purchase of application software, installation and training as well as the purchase of handheld devices for the physician and other clinician users of the system. The project is a critical element of the overall Information Services plan for BayCare Health System. This particular patient care clinical information system will significantly assist in accomplishing improvements in the following areas: (1) Real time communication between physicians, hospitals and pharmacies regarding medication orders which will result in the improvements of prescription legibility, dispensing time and a reduction in drug errors; (2) A decrease in adverse events by improved electronic communication and the use of standard formularies; (3) An increase in the efficiency of operations by reducing the costs of consolidating redundant functions and reducing duplicate orders or inappropriate testing; (4) Knowledge at the point of care will improve the patient care experience. Previous funding for BayCare's electronic health record initiative is as follows: FY 2002–$1,000,000, FY 2003–$1,000,000, FY 2004–$1,000,000, FY 2005–$1,000,000, FY 2008–$341,000.

BAYFRONT MEDICAL CENTER OBSTETRICAL SERVICES

Account: Health Resources and Services Administration, Health Care-Related Facilities and Activities.

Legal name and address of requesting entity: Bayfront Medical Center, 701 Sixth Street South, St. Petersburg, FL 33701.

Description of request: $571,000 is included in the bill for Bayfront Hospital to expand the availability of obstetrical services and its Level III neonatal intensive care unit, which will allow for the care of mothers and their babies under the same roof. In 2009, Bayfront Medical Center will open Bayfront Baby Place in the brand-new All Children's Hospital in downtown St. Petersburg. It will feature 13 private birthing suites, an eight-bed assessment area, 40-bed postpartum unit, 12-bed ante partum unit, four-room C-section suite with dedicated prep/recovery area and a nursery. Babies needing special care will be transferred to All Children's neonatal intensive care unit. New mothers will be in the same building as their sick babies, separated by a brief elevator ride. Bayfront Baby Place will feature a dedicated entrance for birthing mothers and their families, as well as a skywalk connecting Baby Place with Bayfront's main hospital building. Bayfront delivers more than 3,400 babies annually. Some of those babies need special care after they are born. Currently, they are taken from the hospital's joint team of specialists, through a tunnel that connects the two hospital campuses, to specialized neonatal care at All Children's Hospital. Moving the birthing team and unit on the All Children's campus will put the patient at the middle of this process, enabling families to stay together throughout their time in the hospital. These are the first federal funds provided for this project. Bayfront Hospital will contribute $8,000,000 toward the cost of this project.

BLIND PASS ROAD RECONSTRUCTION, ST. PETE BEACH

Account: Federal Highway Administration.

Legal name and address of requesting entity: City of St. Pete Beach, 155 Corey Avenue, St. Pete Beach, FL 33706.

Description of request: $175,750 is included in the bill for the city of St. Pete Beach to reconstruct Blind Pass Road. This project will narrow the roadway to provide adequate vehicular access, while installing new sidewalks and bike lanes to greatly enhance the intermodal transportation options available. In addition, it is anticipated that enhanced lighting and landscaping will be installed, as well as various drainage improvement to the area. Blind Pass road is a half-mile segment that provides an alternate route to a state road. This is the first federal funding provided for this project. The city will provide $400,000.

CENTRAL AVENUE BUS RAPID TRANSIT CORRIDOR ENHANCEMENTS

Account: Federal Transit Administration, Bus and Bus Facilities.

Legal name and address of requesting entity: City of St. Petersburg, 175 Fifth Street North, St. Petersburg, FL 33701.

Description of request: $475,000 is included in the bill for the city of St. Petersburg for the development of a Central Avenue Bus Rapid Transit corridor along Central Avenue. The funding will be used for station development, streetscaping, signalization, surface street improvements, and pedestrian connectors. This is the first federal funding provided for this project. The city will provide $100,000.

CLEARWATER DOWNTOWN REDEVELOPMENT PROJECT

Account: Department of Housing and Urban Development, Economic Development Initiative.

Legal name and address of requesting entity: City of Clearwater, 112 S. Osceola Avenue, Clearwater, FL 33756.

Description of request: $237,500 is included in the bill for the City of Clearwater to implement projects that will revitalize downtown Clearwater. These funds will enable the city to undertake Phase 2 of the project and to transform Cleveland Street into a pedestrian friendly area with landscaped sidewalks and medians. The project also includes new benches, trash receptacles, and bike racks. The city will also implement waterfront upland improvements with seawall cap repairs, sidewalk widening, parking lot upgrades and landscaping. The city received $300,000 in appropriations for this project in FY 2008.

EGMONT KEY STABILIZATION

Account: Army Corps of Engineers, Investigations.

Legal name and address of requesting entity: Tampa Port Authority, P.O. Box 2192, Tampa, FL 33601.

Description of request: $38,000 is included in the bill to continue work on a feasibility study authorized by the Water Resources and Development Act of 2002 to protect this historic island, which is a National Wildlife Refuge and is listed on the National Register of Historic Places. Egmont Key is a 290 acre island located at the mouth of Tampa Bay that contains a unique collection of natural and cultural resources. The majority of the land is owned by the U.S. Fish and Wildlife Service. The U.S. Coast Guard and the Tampa Bay Pilots Association own smaller portions of the island. The island and the fortifications on that island have played an important role in the history of Tampa Bay. Tidal action from Tampa Bay waters is threatening the historic fort and gun emplacements located on the western shore. The purpose of the feasibility study is to determine a long-term strategy for protecting the beach and restoring the shoreline. Previous funding in the amount of $916,900 has been provided for this project through FY 2008.

FLORIDA CANCER CLINICAL TRIAL PATIENT/PHYSICIAN INFORMATION AND EDUCATION PROJECT

Account: Health Resources and Services Administration, Health Care-Related Facilities and Activities.

Legal name and address of requesting entity: University of South Florida, College of Education, 4202 East Fowler Avenue, Tampa, FL 33620.

Description of request: $190,000 is included in the bill for the Florida Cancer Clinical Trial Patient/Physician Information and Education Project sponsored by the University of South Florida. This program has developed continuing education and databases for the public on clinical trials for cancer treatments focusing on the nature of clinical trials and how patients might benefit, what trials are being conducted in Florida, the criteria for participation, and contact information. It also has developed an interactive web based program that lists all current cancer clinical trials and allows patients to determine programs for which they might be eligible. Further, it allows patients to share this information with their physicians. Previous funding was provided for this project as follows: FY 2004–$500,000, FY 2005–$500,000, FY 2008–$536,000.

FLORIDA REGIONAL COMMUNITY POLICING INSTITUTE AT ST. PETERSBURG COLLEGE

Account: Department of Justice, Office of Justice Programs, Byrne Discretionary Grants.

Legal name and address of requesting entity: St. Petersburg College, 3200 34th St. South, St. Petersburg, FL 33711.

Description of request: $400,000 is included in the bill to allow the Florida Regional Community Policing Institute at St. Petersburg College to continue providing, for the Department of Justice, low- and no-cost training and technical assistance to public safety professionals and the people of the communities they serve throughout the nation. This institute has assisted youth, volunteers, city and state employees, community colleges, social service agencies, and community leaders on public safety issues important to their communities. The Department of Justice has asked the institute to develop training materials in areas such as Human Trafficking, Gangs, School Violence, Methamphetamine Labs, Law Enforcement Suicide, Counter-Terrorism Awareness, Community Policing, Offender Re-Entry, Workplace and Domestic Violence, Diversity, Ethics, Problem Solving, and Citizens Police Academies. Over the past 10 years, the institute has delivered training to more than 75,000 participants representing 870 different agencies by customizing curriculum, developing web and CD courses, and providing on-

line registration. No previous funding has been provided to the institute.

GREAT EXPLORATIONS, THE CHILDREN'S MUSEUM, SERVICES FOR AT-RISK YOUTH

Account: Institute of Museum and Library Services, Office of Museum and Library Services, Grants and Administration.

Legal name and address of requesting entity: Great Explorations, The Children's Museum, 1925 Fourth Street North, St. Petersburg, FL 33704.

Description of Request: $95,000 is included in the bill for Great Explorations, the Children's Museum, for the development of ''The Urban Youth Leadership Institute of Florida.'' This institute will increase the museum's capacity to strengthen communities by providing services to vulnerable children and families throughout the Central Florida region by providing a safe place to gather for early education, marketable vocational skills, mentoring, a healthy start, structured activities and a chance to give back through community service. Great Explorations offers unique academic and leadership initiatives to engage thousands of the most vulnerable youth each year to discontinue the generational pattern of low-income youth living in and depending on programs such as housing assistance from the U.S. Housing and Urban Development Department. These programs are based on national models implemented by Great Explorations Children's Museum's leaders for more than 65 museums throughout the nation in partnership with multiple community-based organizations also serving our most vulnerable youth and families, including local housing authorities. The goal of these partnerships continues to be the implementation of extensive leadership development programs that have led to proven methods for ensuring a higher income and educational experiences for thousands of youth. This is the first federal funding provided for this project.

GULF COAST JEWISH FAMILY SERVICES COMMUNITY CARE FACILITY

Account: Health Resources and Services Administration, Health Care-Related Facilities and Activities.

Legal name and address of requesting entity: Gulf Coast Jewish Family Services, 14041 Icot Boulevard, Clearwater, FL 33760.

Description of request: $190,000 is included in the bill for Gulf Coast Jewish Family Services to consolidate its operations into one facility to increase the number of patients served, enhance patient privacy, provide a more seamless system of care, and reduce overhead costs. Gulf Coast serves more than 50,000 at-risk children, youth, adults, and elderly. This is the first federal funding provided for this project.

INTRACOASTAL WATERWAY OPERATION AND MAINTENANCE FROM CALDDSAHATCHEE RIVER TO ANCLOTE RIVER

Account: Army Corps of Engineers, Operations and Maintenance.

Legal name and address of requesting entity: West Coast Inland Navigation District, P.O. Box 1845, Venice, FL 34284.

Description of request: $2,076,000 is included in the bill for the maintenance dredging of sections of the Intracoastal Waterway through six Florida counties, including Pinellas County. The 1945 Rivers and Harbors Act authorized the Intracoastal Waterway to be maintained at a width of 100-feet, and a depth of nine-feet between the mouth of the Caloosahatchee River, near Ft. Myers, and the Anclote River, north of Tampa. The channel runs through six counties (Pinellas, Hillsborough, Manatee, Sarasota, Charlotte, and Lee) and links natural deep-water sections of bays through a series of man-made channels, thereby providing for the safe passage of commercial goods and access to commercial fishing grounds. Dredging of the Intracoastal Waterway commenced in 1960 and was completed in 1967, at which time the West Coast Inland Navigation District began maintenance activities. This funding will support maintenance dredging for Longboat Pass (Manatee County), Venice Inlet (Sarasota County), mouth of Caloosahatchee River (Miserable Mile in Lee County), the Boca Grande Bayou area (Miller's Marina in Lee County), and a section of the Intracoastal Waterway in Pinellas County just north of the Tampa Bay port shipping channel. Previous funding totaling $1,400,000 was included in FY 2004 and FY 2005 for the design, engineering, and permitting for this project and $1,215,000 was included in FY 2008 for the initial dredging of this waterway.

NATIONAL CLEARING HOUSE FOR SCIENCE, TECHNOLOGY, AND THE LAW AT STETSON UNIVERSITY COLLEGE OF LAW

Account: Department of Justice, Office of Justice Programs, Byrne Discretionary Grants.

Legal name and address of requesting entity: Stetson University College of Law, 1401 61st Street South, Gulfport, FL 33707.

Description of request: $400,000 is included in the bill for the National Clearing House for Science, Technology, and the Law at Stetson University College of Law to build and maintain the world's only searchable comprehensive bibliography on law, science, and technology. This database contains court decisions and commentary, scholarly publications, commercial applications, professional associations and institutions, and other resources about traditional and new forensic topics, such as Identity Theft, Intra and Interstate Tracking of Sexual Predators, Canine Sniff Detection, and Less Lethal Technologies. It contains 18 resource categories for each of 33 topics in science and technology. At present, it contains more than 65,000 records, and more than 1,500 entries a month are added. Visitors from more than 110 countries have visited the site. In addition, comprehensive Cold Case and Identifying the Missing resources have recently been added to the site. No other such national resource exists. The online database also includes a quarterly newsletter which focuses on the latest topics such as Methamphetamine, Shaken Baby Syndrome, Cyber Forensics, Post-Conviction DNA Testing, Bioterror and the Physician, and Virtual Autopsies. Funding will also enable Stetson to continue building an important reference collection of law, science, and technology material to meet the needs of law enforcement personnel, legal professionals, crime lab personnel, national security professionals, medical examiners, and public health professionals. These professions face challenges due to a lack of access to information regarding new areas of science and technology. The Clearinghouse reference collection allows access via interlibrary loan to physical materials not readily available at local libraries. Important forensic science collections are being donated to the clearinghouse on a regular basis for use by these professionals. Stetson will use this funding for two new initiatives. The first is the development of training modules and primers to be made available through distance education technology. These cross-disciplinary modules will focus on training scientists in the complex workings of the legal system. They also provide lawyers with much needed education in various scientific and technological disciplines. Law 101 will focus on testimony skills for expert witnesses, scientists and law enforcement personnel. The primers, written by lawyers, scientists, and educators, will cover the basic elements of a science or technology and principles of law. They will provide practical advice regarding motions in limine, locating and qualifying an expert, direct and cross-examination of the expert, and legal issues that arise in such cases. The second initiative will be to support the federal DNA initiative. The goal of this project is to provide training about the applications and limitations of DNA evidence to defense counsel handling cases involving biological evidence, as stated in the President's DNA Initiative. To achieve this goal, the Clearinghouse is working closely with the National Institute of Justice (NIJ) and an expert Advisory Group to develop training that will provide defense attorneys with the general knowledge of the uses of DNA evidence in judicial proceedings as it pertains to discovery and ethics, proper closing arguments, case assessment, etc. The training will complement other forensic DNA evidence resources developed by NIJ, such as the ''Officers of the Court'' CD-ROM, which provides a foundational understanding of the science, technology, statistics, and other non-advocacy topics. Training will occur across the country and will incorporate ''Train the Trainer'' sessions to further broaden outreach efforts. Previous funding has been provided to Stetson for the National Clearinghouse in the following amounts: FY 2003–$1,768,430, FY 2004–$2,968,432, FY 2005–$2,959,930, FY 06–$1,682,119.

NATIONAL FORENSIC SCIENCE TECHNOLOGY CENTER

Account: Department of Justice, Office of Justice Programs, Byrne Discretionary Grants.

Legal name and address of requesting entity: The National Forensic Science Technology Center, 7881 114th Avenue North, Largo, FL 33773.

Description of request: $1,750,000 is included in the bill for the National Forensic Science and Training Center (NFSTC), which is a Department of Justice-selected Forensic Technology Center of Excellence. With these funds, the NFSTC will continue to provide for the Office of Justice Programs an assessment program to audit the capabilities and quality of DNA laboratories throughout the United States which receive agency funding. NFSTC not only assists laboratories in improving their performance in DNA analysis, but also provides grant recipients with an objective review of their use of federal funds. Previous funding has been provided to NFSTC, which employs 34 people in Pinellas County, Florida, in the following amounts: FY 2000–$1,899,822, FY 2001–$2,594,280, FY 2002–$8,500,000, FY 2003–$2,980,000, FY 2004–$1,978,000, FY 2005–$1,973,286, FY 2007–$1,973,286, FY 2008–$2,030,400.

NATIONAL TERRORISM PREPAREDNESS INSTITUTE AT ST. PETERSBURG COLLEGE

Account: Department of Justice, Office of Justice Programs, Byrne Discretionary Grants.

Legal name and address of requesting entity: St. Petersburg College, 3200 34th St. South, St. Petersburg, FL 33711.

Description of request: $800,000 is included in the bill for the National Terrorism Preparedness Institute (NTPI) at St. Petersburg College, for training support programs for law enforcement and other emergency responders through the rapid research, development, and delivery of customized anti-terrorism training and professional development materials and scenario models. NTPI seeks to deliver the highest quality content and instructional technology delivery systems to meet the unique training needs and time constraints of the trainees. These materials are delivered through traditional classroom training or distance learning technologies and the topics are determined by

and based on the needs of the Departments of Justice and Homeland Security. Areas that have been covered in the past include implementation of the National Infrastructure Protection Plan, expanding regional collaboration, implementation of the National Infrastructure Protection Plan, strengthening information sharing and collaboration capabilities, and enhancing Chemical, Biological, Radiological/Nuclear, and Explosive detection, response, and decontamination capabilities.

PINELLAS COUNTY BEACH EROSION CONTROL

Account: Army Corps of Engineers, Construction.

Legal name and address of requesting entity: Pinellas County Board of County Commissioners, 315 Court Street, Clearwater, FL 33756.

Description of request: $6,699,000 is included in the bill for the Pinellas County Board of County Commissioners to continue the Pinellas County beach erosion control program. The Pinellas County program was first authorized by Congress in 1966 and reauthorized in 1976 and has provided immeasurable storm protection and recreation benefits to Pinellas County residents and visitors. These funds will be used for the regularly scheduled renourishment and restoration of beaches at Treasure Island and Long Key. The federal and state/local cost sharing averages 60/40 under the current authorization. The combined state and local share of this project will be an estimated $4,700,000. With the funds appropriated in this bill, the total federal funds appropriated for the Pinellas County Beach Erosion Control Project will be $90,815,404 since Fiscal Year 1986.

PINELLAS COUNTY EX-OFFENDER RE-ENTRY INITIATIVE

Account: Department of Justice, Office of Justice Programs, Byrne Discretionary Grants.

Legal name and address of requesting entity: Pinellas County Board of County Commissioners, 315 Court Street, Clearwater, FL 33756.

Description of request: $300,000 is included in the bill for the Pinellas County Board of County Commissioners to establish an ex-offender re-entry initiative. This funding will enhance the services provided by a collaboration of Pinellas County justice and consumer services departments and other non-profit organizations to better enable the reintegration of ex-offenders as productive members of their communities and prevent recidivism. The Pinellas County Ex-Offender Re-Entry Program will provide a spectrum of services to individuals released from incarceration that address the unique needs of ex-offenders to assist their transition to a stable, drug and crime-free, productive life within the community, such as: (1) job training and employment placement; (2) housing assistance; (3) filling literacy and education gaps; (4) substance abuse and mental health counseling; (5) healthcare; (6) legal assistance; and (7) providing basic needs such as food and clothing. The county estimates that the funding will enable the program to reach 7,500 to 10,000 ex-offenders. Federal programs, specifically those administered by the Department of Justice, have increasingly focused support toward offender reentry and recidivism prevention programs, particularly regional and interagency efforts to deliver comprehensive and coordinated interventions across housing, workforce, and social services. The Pinellas County Ex-Offender Re-Entry Initiative reduces recidivism through targeted intervention and rehabilitation services, which are aimed to improve employment outcomes for ex-offenders and direct them toward a productive and self-sufficient lifestyle. The Pinellas County jail manages over 54,000 criminal bookings per year, with an average daily jail population of approximately 3,600 individuals. Over 7,000 sentenced inmates re-enter society in Pinellas County each year. Additionally, over 2,000 inmates from the Department of Corrections come into Pinellas County per year after serving a sentence in the State prison system. Recidivism rates in Pinellas County are 60–70 percent for those coming from the state system and 50–60 percent for those coming from the county system. This is the first federal funding provided for this project. Pinellas County will provide a $270,000 match.

PINELLAS COUNTY REGIONAL URBAN SUSTAINABILITY DEMONSTRATION AND EDUCATION FACILITY

Account: Department of Energy, Energy Efficiency and Renewable Energy Projects.

Legal name and address of requesting entity: Pinellas County Board of County Commissioners, 315 Court Street, Clearwater, FL 33756.

Description of request: $475,750 is included in the bill for the Pinellas County Board of County Commissioners for the construction of a regional facility to provide a demonstration of green building techniques, alternative energy initiatives and technologies, and reduced energy consumption. Educational workshops available to the general public also will be taught at the facility by university representative and other experts in energy efficiency and urban sustainability. A partnership among Pinellas County, the University of Florida, Tampa Bay Builders Association, and the Council for Sustainable Florida, the facility's programmatic elements will encourage Leadership in Energy and Environmental Design (LEED) development practices and showcase green building techniques and sustainable resources implementation. Located on the campus of the Pinellas County Extension Service in Largo, the facility will serve the nearly 1,000,000 residents of Pinellas County, and more from surrounding counties, as an energy efficient model for future development in the region and a training demonstration site for area builders on how to build to green building standards. The Department of Energy, Energy Efficiency and Renewable Energy account funds project by municipalities, universities, and other entities to test and implement solutions for alternative energy and conservation. This program will equip builders and individuals throughout the Central Florida region with knowledge to meet the nationally accepted benchmark for the design, construction, and operation of high-performance green buildings. This is the first federal funding provided for this project.

PINELLAS COUNTY SHERIFF, CRIMINAL INTELLIGENCE GATHERING TECHNOLOGY

Account: Department of Justice, COPS Law Enforcement Technology.

Legal name and address of requesting entity: Pinellas County Sheriff, 10750 Ulmerton Road, Largo, FL 33778.

Description of request: $100,000 is included in the bill for the Pinellas County Sheriff to acquire high-technology intelligence gathering equipment and a vehicle for intelligence gathering operations. The equipment would be used in counter terrorism and traditional crime control and public safety operations. Because the Sheriff is a part of a number of regional and state task forces, this equipment would be used by Criminal Intelligence Section detectives assigned to the Regional Domestic Security Task Force, the Joint Terrorism Task Force, and the Florida Intelligence Unit. This is the first federal funding provided for this project.

PINELLAS COUNTY SHERIFF, JOINT-USE OUTDOOR FIRING RANGE

Account: Department of Justice, COPS Law Enforcement Technology.

Legal name and address of requesting entity: Pinellas County Sheriff, 10750 Ulmerton Road, Largo, FL 33778.

Description of request: $500,000 is included in the bill for the Pinellas County Sheriff to develop an outdoor firing range for joint use by local, state, and federal agencies, including military and federal law enforcement personnel. The demonstrated need for such a range is the result of a survey of these agencies, including DEA, U.S. Marshal, U.S. Secret Service, Immigration and Customs Enforcement, FBI, U.S. Coast Guard, Florida National Guard, U.S. Air Force, NCIS, and U.S. Marine Corps which found that these agencies lack sufficient outdoor facilities to practice and qualify for firearms proficiency. The Pinellas County Board of County Commissioners has provided $500,000 to complete pre-construction requirements including architectural services; civil engineering; environmental site assessment; structural engineering; mechanical, electrical and plumbing engineering; site surveying and geotechnical testing. This is the first federal funding provided for this project.

ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT TERMINAL IMPROVEMENTS

Account: Federal Aviation Administration, Grants-in-Aid for Airports.

Legal name and address of requesting entity: Pinellas County Board of County Commissioners, 315 Court Street, Clearwater, FL 33756.

Description of request: $831,250 is included in the bill for the Pinellas County Board of County Commissioners for terminal improvements at the St. Petersburg-Clearwater International Airport. Federal funding will support terminal improvements to the aging and obsolete terminal building at the airport. Improvements will address structural problems and requirements needed to accommodate significant airline growth. Specific projects identified include the addition of two passenger loading bridges and related structural retrofits to enable use, expansion of existing terminal gate hold rooms, reconfiguration of security checkpoints, ticketing area conversions, build-out of new post-security amenities and concession space, and the replacement of a failing chiller unit. This is the first federal funding provided for this project. Pinellas County will contribute $750,000.

ST. PETERSBURG COLLEGE HEALTHCARE INFORMATICS WORKFORCE TRAINING

Account: Department of Education, Fund for the Improvement of Postsecondary Education.

Legal name and address of requesting entity: St. Petersburg College, 6021 142nd Avenue North, Clearwater, FL 33760.

Description of request: $95,000 is included in the bill for the St. Petersburg College to create a course of study in the area of health care informatics that will meet the needs of the health care industry as it transitions to a system of electronic medical records. The college will develop a new postsecondary health care informatics curriculum, curricular units for secondary students, faculty development, and the marketing materials to recruit high school students and college students into health care informatics careers. The new courses will be designed for on-line learning but they will also be able to be delivered in a blended instructor-led format. Current health care employees will be able to receive individualized or group instruction and with the training will be able to move from entry-level jobs to increasingly responsible positions. A web portal will

also be developed to serve as a source of information about health informatics, the college's certificate and degree programs, and related career and training opportunities. Youth will also learn about health care informatics through a structured high school outreach program and through in-school job and career presentations by college faculty. In addition, an online competency-based Introduction to Health Care Informatics tutorial will also be available free of charge to anyone interested in learning about health care informatics. Finally, an annual Health Care Informatics Symposium will bring nationally known subject matter experts to the region and provide a health care informatics forum for communication industry representatives, secondary and postsecondary faculty, and students. This is the first federal funding provided for this project.

ST. PETERSBURG COLLEGE ORTHOTICS AND PROSTHETICS PROGRAM

Account: Health Resources and Services Administration, Health Care-Related Facilities and Activities.

Legal name and address of requesting entity: St. Petersburg College, 6021 142nd Avenue North, Clearwater, FL 33760.

Description of request: $476,000 is included in the bill for the St. Petersburg College to expand its Bachelors Degree program in the study of Orthotics and Prosthetics to meet the nationwide shortage of professionals in this field. At present, there are only four baccalaureate programs and five certificate programs to train orthotists and prosthetists in the United States. St. Petersburg College has the only program in the Southeastern United States. The St. Petersburg College is working to increase the availability of Orthotics and Prosthetics education by seeking partnerships with other colleges within the state of Florida and the Southeast. This will include developing and offering courses on-line and through distance learning. St. Petersburg College also will use these funds to host continuing education for practitioners already in the field. The goal is to increase the number of professionals in the field to meet the growing need of service members and civilians. This is the first federal funding provided for this project. St. Petersburg College will provide an $800,000 match.

ST. PETERSBURG SOLAR PILOT PROJECT

Account: Department of Energy, Energy Efficiency and Renewable Energy Projects.

Legal name and address of requesting entity: City of St. Petersburg, 175 Fifth Street North, St. Petersburg, FL 33701.

Description of request: $1,427,250 is included in the bill for the City of St. Petersburg to develop and implement a renewable and sustainable solar energy network to provide the electricity required to power 40 city parks. Through a collaboration with Progress Energy Florida and the University of South Florida Center for Utility Exploration, the city will be able to remove all of these parks from the city's power grid. This will demonstrate how the city can reduce peak demand at power generation facilities, reduce greenhouse gas emissions and the dependence on foreign oil. The City of St. Petersburg is uniquely situated to exploit cheap, clean renewable solar power and is committed to utilize the limitless resource to go solar at all of its City parks and eventually all operating facilities. This is the first federal funding provided for this project. The city of St. Petersburg will provide a $500,000 match.

STEPS TO A HEALTHIER PINELLAS

Account: Centers for Disease Control, Health Promotion.

Legal name and address of requesting entity: Pinellas County Schools, 301 4th Street S.W., Largo, FL 33770.

Description of request: $190,000 is included in the bill for the Pinellas County School System to provide nutrition education, asthma and diabetes, staff wellness and family weight management programs for its students. Steps to a Healthier Pinellas will require physical fitness assessments for all students enrolled in physical education classes. Proposed activities will be aligned to the recommendations produced by the Governor's Council for Physical Fitness and have been highlighted as best practices in the State of Florida. This is the first federal funding provided for this project. The school system will provide a $164,000 match.

STETSON UNIVERSITY COLLEGE OF LAW ELDER JUSTICE PROGRAM

Account: Administration on Aging, Aging Services Programs.

Legal name and address of requesting entity: Stetson University College of Law, 1401 61st Street South, Gulfport, FL 33707.

Description of request: $95,000 is included for the Stetson University College of Law to establish a pilot program to determine the most effective way to educate seniors about mortgage fraud and other financial scams. Through Stetson's Elder Justice Resource Center, this program will focus on ways to communicate with seniors about the inherent dangers from unsolicited offers for home refinancing, reverse mortgages, consumer goods, and financial opportunities. Communications strategies will include a telephone hotline, a web site, onsite visits to senior centers, retirement homes, libraries, clubs, and other places that seniors gather. This is the first federal funding provided for this project. Stetson will match these funds with $100,000.

TAMPA BAY WATCH EDUCATION BUILDING

Account: Department of Housing and Urban Development, Economic Development Initiative.

Legal name and address of requesting entity: Tampa Bay Watch, 3000 Pinellas Bayway South, Tierra Verde, FL 33715.

Description of request: $237,500 is included in the bill for Tampa Bay Watch for the construction of an education building to expand its capacity to hold education and restoration workshops for students and families. Tampa Bay Watch is a community based habitat restoration and education program that has helped bring back to life the waters of Tampa Bay and its surrounding tributaries. It has mobilized more than 65,000 volunteers in what is the first environmental organization of its kind in the Southeastern United States. Tampa Bay Watch's staff and volunteers coordinate a variety of coastal restoration events throughout the year such as salt marsh plantings, oyster dome and reef construction, coastal cleanups and storm drain markings. One of Tampa Bay Watch's greatest assets is its education programs which support year-round school field trips, summer camp programs, and community groups. More than 180 field trips have been held there during which 3,000 students contributed 14,600 hours to learn about and help restore Tampa Bay.

TAMPA PORT PLANNING, ENGINEERING AND DESIGN FOR FUTURE REQUIREMENTS

Account: Army Corps of Engineers, Construction.

Legal name and address of requesting entity: Tampa Port Authority, P.O. Box 2192, Tampa, FL 33601.

Description of request: $478,000 is included in the bill for the continued planning, engineering, and design for a project to widen and deepen the Tampa shipping channel to allow for the safer passage of shipping traffic and to accommodate larger ships requiring a deeper draft. The Army Corps of Engineers completed a draft General Reevaluation Report (GRR) in 2008 which focuses on traffic congestion in the main Tampa Harbor channel where extensive delays occur due to lack of adequate channel width. The 40 mile main federal channel handles traffic in and out of the entire Tampa Bay federal port system for the Ports of Tampa, Manatee and St. Petersburg. The ship channel is too narrow to allow for safe two way vessel traffic due to the introduction of new longer and broader cruise ships. The impacts associated with having a restriction of this nature include vessels waiting at berth or at the sea buoy while large cruise ships transit the channel. The GRR concurs with the Tampa Port Authority and the port community that the resulting congestion causes safety hazards and economic inefficiencies and recommends widening select portions of the main channel. The GRR finds that vessel operation costs would be reduced, resulting in transportation cost savings, increased harbor safety and reduced cargo delivery delays. In addition, the continued reevaluation of the needs in the Tampa Harbor is necessary, to include deepening, in order to facilitate anticipated growth in trade as the Port of Tampa continues its steady growth and diversification. As Florida's largest cargo port, the Port of Tampa handles approximately 50 million tons of cargo per year. The Port of Tampa is also the largest economic engine in West Central Florida and the nation's 14th largest port in terms of short tons. The Port of Tampa generates an annual economic impact of almost $8 billion on the region which includes the contribution of over $570 million annually in state and local taxes. This project is authorized by three separate federal statutes: The Energy and Water Development Appropriations Act, 2004 (P.L. 108–137); The Energy and Water Development Appropriations Act, 2005 (P.L. 108–447); and the Water Resources Development Act of 2007 (P.L. 110–114). Previous funding for this project has been provided as follows: FY 2008–$133,000, FY 2004–$2,500,000, FY 2003–$200,000, FY 2002–$500,000, FY 2001–$300,000.

TREASURE ISLAND WASTEWATER AND SEWER SYSTEM UPGRADE

Account: Environmental Protection Agency, State and Tribal Assistance Grants Infrastructure Grants.

Legal name and address of requesting entity: City of Treasure Island, 120 108th Avenue, Treasure Island, FL 33706.

Description of request: $500,000 is included in the bill for the city of Treasure Island to upgrade its wastewater and sewer system. With these funds, the city will purchase an emergency generator and pump motor controls. The city will also reline water pipes and repair manholes. Failure to complete these necessary wastewater infrastructure upgrades in a timely manner will expose the Gulf of Mexico and Boca Ciega Bay waters to undesirable pollutants and threaten the economic viability of this resort area. Previous appropriations for this project total $1,250,000.

TROPICAL AND SUBTROPICAL AGRICULTURE RESEARCH (T-STAR)

Account: Department of Agriculture, Cooperative State Research, Education, and Extension Service, Research and Education Activities.

Legal name and address of requesting entity: The University of Florida, 226 Tigert Hall, Gainesville, FL 32611.

Description of request: $6,677,000 is included in the bill for Tropical and Sub-Tropical Agriculture Research (T-STAR) at the Universities of Florida and Hawaii to address the problem of exotic pests and other tropical and subtropical problems in America's Caribbean and Pacific Basins. The

major goal of the T-STAR program is to develop strategies and tactics to stem the invasion of exotic diseases, insects, and weeds into the United States. The recent introduction of asian soybean rust into the United States, along with the increasing threat of avian influenza and foot-and-mouth disease entering the country, heightens the possibility of a terrorist-induced attack on the nation's food supply. There is an urgent need to identify exotic pests in other countries with which the United States maintains frequent and extensive trade and travel in order to: (1) determine potential avenues for the introduction of these pests into the United States, (2) develop technologies for the early detection of these pests, (3) find effective and environmentally acceptable methods for the eradication and containment of these pests if they enter the United States. Under the T-STAR program, scientists aggressively protect the nation against the growing environmental and economic threat of invasive exotic pests. The Universities of Florida and Hawaii represent important agricultural states which are prime locations for the introduction of exotic pests from other parts of the world. Previous funding has been provided by the Department of Agriculture for T-STAR in the following amounts: FY 2001–$3,800,000, FY 2002–$3,800,000, FY 2003–$9,000,000, FY 2004–$9,000,000, FY 2005–$9,400,000, FY 2006–$9,500,000, FY 2008–$7,400,000.

U.S. 19 AT ENTERPRISE

Account: Federal Highway Administration.

Legal name and address of requesting entity: Pinellas County Metropolitan Organization, 600 Cleveland Street, Suite 750, Clearwater, FL 33755.

Description of request: $855,000 is included in the bill to continue work on a controlled access project at U.S. 19 and Enterprise Road in Clearwater. With federal, state, and local funds, the Pinellas Metropolitan Organization has been converting U.S. 19 from an arterial roadway into a controlled access roadway. The 1.3 mile Enterprise Road segment is the last remaining grade level interchange. Once complete, there will be 11.2 miles of controlled access, with no traffic signals, between 118th Avenue in mid-Pinellas County north to State Road 580 in north Pinellas County. U.S. 19 is a Regional Emergency Evacuation Route used by an average of 90,000 vehicles per day. Previous federal funding, provided in FY 2001 in the amount of $4,000,000, was used for preliminary engineering and grade separated design. The Florida Department of Transportation will provide $17 million toward the completion of this project.

WORKNET PINELLAS EMPLOYED WORKER RETRAINING PROGRAM

Account: Department of Labor, Employment and Training Administration, Training & Employment Services.

Legal name and address of requesting entity: WorkNet Pinellas, 13805 58th Street North, Suite 2140, Clearwater, FL 33760.

Description of request: $95,000 is included in the bill for WorkNet Pinellas to conduct an employer-focused training program for workers to train them in new fields and new technologies. WorkNet will solicit technological training shortfalls from Pinellas County manufacturers. Through consultation with the employers and the local Economic Development Council, WorkNet will certify the validity of the training needs and prepare a training plan based on the employers' technology usage. Through its training partners, Pinellas Technical Education Centers and St. Petersburg College, WorkNet will identify the training resources available and submit the plan to the employer for approval and agreement. The employer will be expected to contribute at least half of the cost of the training program and consent to meeting the training goals within a specified timeline. This project will be based firmly on the skill needs of the employer and will result in a more highly skilled workforce whose members can continue to progress in their careers. Another clear objective of this program will be to allow the employers to remain competitive in the global economic market without having to relocate or farm-out any of their production. The goal of the program is to training 1,200 workers from at least 15 employers. This is the first federal funding provided for this project.

EARMARK DECLARATION

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. ROHRABACHER. Madam Speaker, pursuant to the requirements of the Republican Conference of the House, I am submitting for the RECORD the following revised information regarding two earmarks I requested, which are included in the reported version of H.R. 1105, the Consolidated Appropriations Act for Fiscal Year 2009.

Requesting Member: Congressman DANA ROHRABACHER (CA–46)

Bill Number: H.R. 1105, the Consolidated Appropriations Act for Fiscal Year 2009.

Name of Project: Vanguard University Academic Center for Science, Nursing, and Technology.

Account: DHHS, Health Resources and Services Administration (HRSA)

Legal Name of Requesting Entity: Vanguard University

Address of Requesting Entity: 55 Fair Drive, Costa Mesa, CA 92626

Description of Request: I received $238,000 for Vanguard University's Academic Center for Science, Nursing, and Technology. Vanguard University is developing an Academic Center for Science, Nursing, and technology which will help address the significant problems facing California by training teachers in science and math, and by developing a Nursing School with an accelerated RN to Bachelor of Science in Nursing Degree Program to help address the nursing crisis. The center will include the development of smart classrooms, the nursing school, and research laboratories to train existing teachers and nurses, and will deliver the study of science, math, and technology that will prepare students for teaching careers in science and math. It is my understanding the University will provide the balance of funding through endowments and other major gifts. It is also my understanding funds will be used consistent with the following.

Site work: $407,500
Shell & Minimal Core $4,087,00
Core & Systems $1,911,000
Basement Premium $232,500
500 SF total @ 132.66/SF
Total $6,638,000

I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman DANA ROHRABACHER (CA–46)

Bill Number: H.R. 1105, the Consolidated Appropriations Act for Fiscal Year 2009.

Name of Project: Vanguard University Academic Center for Science, Nursing, and Technology.

Account: Department of Education, Higher Education (FIPSE)

Legal Name of Requesting Entity: Vanguard University

Address of Requesting Entity: 55 Fair Drive, Costa Mesa, CA 92626

Description of Request: I received $190,000 for Vanguard University's Academic Center for Science, Nursing, and Technology. Vanguard University is developing an Academic Center for Science, Nursing, and technology which will help address the significant problems facing California by training teachers in science and math, and by developing a Nursing School with an accelerated RN to Bachelor of Science in Nursing Degree Program to help address the nursing crisis. The center will include the development of smart classrooms, the nursing school, and research laboratories to train existing teachers and nurses, and will deliver the study of science, math, and technology that will prepare students for teaching careers in science and math. It is my understanding the University will provide the balance of funding through endowments and other major gifts. It is also my understanding funds will be used consistent with the following.

Site work: $407,500
Shell & Minimal Core $4,087,00
Core & Systems $1,911,000
Basement Premium $232,500
500 SF total @ 132.66/SF
Total $6,638,000

I certify that neither I nor my spouse has any financial interest in this project.

IN CELEBRATION OF THE RETIREMENT OF REVEREND ISAAC SINGLETON

HON. DEBORAH L. HALVORSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mrs. HALVORSON. Madam Speaker, I rise today to recognize Reverend Isaac Singleton's retirement after 47 years with the Mount Zion Baptist Church in Joliet, Illinois. Reverend Singleton earned his recognition as a south suburban icon many years ago. After working on a plantation in Louisiana with his father, he joined the Army Air Force during World War II. He later settled in Joliet, where he has enjoyed a 60 year marriage with his wife Pearl. He is known locally as a symbol of the civil rights movement for marching alongside the great Martin Luther King, Jr. in Montgomery, Alabama and is featured in both "Who's Who Among Black Americans" and the Joliet Will County Hall of Pride.

As pastor at Mount Zion Baptist Church, Reverend Singleton saw the congregation grow from an intimate 100 members to the ever faithful, flourishing parish of 2,000 members it is currently. Reverend Singleton's influence is seen all over Joliet, from the 28,000 square foot presence of Mount Zion Baptist church to the street named after him to the Family Life Center he founded. He is respected internationally as well, having preached in five different continents and having built churches in Africa.

Reverend Singleton retires this month after a fulfilling, impressive, and inspirational career. He is truly an asset to Joliet as well as the

global faith community. It is with great pride that I celebrate the career of Reverend Isaac Singleton. May his retirement be fruitful and joyous.

HONORING THE LIFE AND CAREER OF BILL POST

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. PASTOR of Arizona. Madam Speaker, I would like to take a few minutes to praise and reflect upon the career of an outstanding CEO and an even better friend, Bill Post. I first met Bill in the early 1970s when he was financial officer for the Arizona Public Service, also referred to as APS, and I was a Maricopa County Supervisor. He impressed me as a smart, young executive.

Bill Post is the Chairman and Chief Executive Officer of Arizona Public Service—my home state's largest electric company. Bill recently announced his retirement from APS and its parent company, Pinnacle West Capital Corporation, after 37 distinguished years with the companies.

Starting his career as a Draftsman after finishing college at Arizona State University, Bill quickly climbed the ranks at APS. He became an officer in 1982, then ascended to President and CEO of APS and President of Pinnacle West in 1997. He earned the title of Chairman of the Board for both companies in 2001.

Of course what he accomplished and the relationships he built were always far more important to Bill than any title. He guided APS through a period of incredible growth for our state. In the last decade alone, APS added more than 300,000 customers, yet the company has been a model of efficiency. Despite its rapid growth, APS continued to meet Arizona's expanding energy needs while also improving customer satisfaction, setting new standards of electric reliability and keeping employee numbers essentially flat.

Revered for his business acumen, Bill is also ubiquitous in the community—continually lending his guidance, energy and financial resources to non-profit organizations such as Greater Phoenix Leadership, Valley of the Sun United Way, the Arizona Business Coalition, and the Children's Action Alliance. His dedication to our community and state led me to often refer to Bill as the ''Big Dog in Town.'' Bill's own generosity has always set the tone for his company—APS and its employees are known across Arizona as leaders in the communities they serve.

Bill Post embodies the character and uniqueness of my home state. A lifelong Arizonan, Bill is as at home driving his Jeep through dusty desert trails as he is guiding strategy in a corporate boardroom. In his retirement from APS, I know he will probably be providing leadership to the people of Arizona.

COMMEMORATING BRAIN AWARENESS WEEK

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. SESTAK. Madam Speaker, today I rise to commemorate Brain Awareness Week (BAW) and the benefits of this informative week in educating students on brain science in my congressional district and across the country. Brain Awareness Week, launched in 1996, brings together the Society for Neuroscience, Dana Alliance for Brain Initiatives and 1200 other organizations worldwide who share a common interest in improving public awareness of brain and nervous system research. During Brain Awareness Week, neuroscientists around the globe educate K–12 students, senior citizens and the public at large on the wonders of the human brain. These activities include tours of neuroscience laboratories, museum exhibitions and classroom discussions on the elements of the human brain.

This year, the Philadelphia area members of the Society for Neuroscience will host their annual Brain Awareness event at the Franklin Institute in Philadelphia on March 19–20. Many of my constituents will be exposed to the exciting world of neuroscience, hopefully become inspired to become the next generation of scientists, and learn about the connection between increased support for biomedical research and benefits to public health. Today, in recognition of Brain Awareness Week, I would like to highlight a serious brain condition that affects many of our men and women in uniform returning home from combat in Iraq and Afghanistan: Traumatic Brain Injury (TBI).

Madam Speaker, as a member of the House Armed Services Committee and a former Naval officer, I know firsthand the reality of war and how it affects our soldiers. Many of our brave men and women experience severe trauma from land mines, road side bombs and other powerful explosives, which result in what are now recognized to be the signature wounds of these recent conflicts: TBI, the loss of limbs, and post-traumatic stress disorder (PTSD). In part, these wounds can be attributed to advanced body armor that shield soldiers' torsos from bullets, shrapnel, and injury and prevents them from being killed in attacks. Yet their bodies remain relatively exposed to the concussive effect of blasts that can raise atmospheric pressure by 1,000 times, rattling the brain against the skull. Neuroscience research has contributed significantly to the current standard of neurological and mental health care in the field and at military health facilities across the country.

The numbers associated with these signature wounds, including TBI, are staggering and illustrate the need for additional research. During a Pentagon news conference on March 5, 2009, Department of Defense doctors reported as many as 360,000 U.S. Service members have experienced brain injuries, mostly concussions, representing about 20 percent of the 1.8 million soldiers who have served in combat in Iraq and Afghanistan. The head of the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury noted that while the overwhelming majority heal—and heal without treatment—an estimated 45,000 to 90,000 troops have suffered more severe and lasting symptoms, which overall cost the U.S. Army $242 million last year for staff, facilities and programs to serve troops with brain injuries. Additionally, an unprecedented 36 percent of the veterans treated thus far have been diagnosed with a mental health condition. According to 2003 data analyzed by the Defense and Veterans Brain Injury Center and the Centers for Disease Control and Prevention, about 60 percent of returning U.S. soldiers who had been exposed to blasts showed signs of brain injury, and face a lifetime of disability at an estimated cost of $60 billion annually.

Madam Speaker, new research is exploring improved methods of treatment of TBI. The Defense and Veterans Brain Injury Center and Department of Veterans Affairs research facilities across the country are testing the anti-depressant sertaline as a treatment for symptoms of TBI, including irritability, depression, frustration, and anxiety. Neuroscientists are trying to understand how these explosives disrupt the function of the nervous system in order to develop specific recovery strategies. Activity-based therapy, which takes advantage of the brain's plasticity or ability to review and recover, is proving to be one of the most effective approaches in treating head injuries. Even when certain functions are lost, repeatedly practicing a movement seems to encourage the brain to reestablish the connections that support that function. Research in laboratory animals suggests that activity itself can increase the secretion of some nerve growth factors known to play an important role in the brain plasticity and learning.

I would like to recognize that the enhancement of research for soldiers and others suffering from TBI continues to be a Congressional priority, as evidenced by the passage of the Traumatic Brain Injury Reauthorization Act, which I was proud to cosponsor. This legislation reauthorized many essential programs including the Traumatic Brain Injury Research Program at the National Institutes of Health, which conducts TBI research at laboratories on the NIH campus and also supports it through grants to major medical institutions across the country. The pursuit of cutting-edge brain injury research will remain on the nation's healthcare and neuroscience agendas for decades to come in hopes of developing innovative medical treatments that will enhance the quality of life for our veterans from Iraq and Afghanistan.

Madam Speaker, today I ask my colleagues to join me in recognizing Brain Awareness Week, which exposes our young citizens to the wonders of the brain. I also ask that you join me in continuing to support basic research that provides a foundation for new treatments that have an enormous impact on the lives of our brave men and women returning home from combat with TBI and other brain injuries and disorders.

CELEBRATING MARCH AS RED CROSS MONTH

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. KING of New York. Madam Speaker, the American Red Cross has been on the

front lines of disaster prevention and response for more than a century. This elite humanitarian society is among the most effective and recognized disaster relief organizations in the world. We have an opportunity this month to recognize the essential role the Red Cross plays in our communities. Since President Franklin Delano Roosevelt served in office, every President of the United States has proclaimed March to be ''Red Cross Month.''

The Red Cross responds to more than 70,000 natural and manmade disasters each year, caring for victims of fires, floods, hurricanes, hazardous materials spills, explosions, and many other kinds of incidents. Volunteers provide food, shelter, and health services to meet the most basic human needs of victims and first responders. The Red Cross also provides critical blood supplies to hospitals, first aid classes to the public, and disaster aid to the international community.

In responding to disasters small or large, the Red Cross has proven its incomparable worth time and again for over 127 years. Just this month in my district in New York, fire destroyed a North Massapequa home, and Nassau County's Red Cross arrived on the scene to offer assistance. Timely response to such daily but devastating small-scale disasters is one of the Red Cross' most important humanitarian services.

Large-scale disasters also demonstrate major successes. Immediately following the terrorist attacks of September 11, 2001, relief workers rushed to the World Trade Center, to the Pentagon, and to the fields of Shanksville, Pennsylvania. The Red Cross played an invaluable role in assisting over 59,000 individuals and families affected by those horrific acts of terror.

No matter the response, volunteers are the key to Red Cross efforts, representing 96 percent of the organization's workforce. They cannot do what they do without the support of donated manpower, finding, and supplies. The Red Cross, the dedicated individuals who serve in the organization, and the thousands of citizens who fund relief efforts epitomize the humanitarian spirit of the American people.

I join with my colleagues today to recognize the Red Cross, and thank the organization's staff and volunteers for all of their continued assistance to American communities.

THE BULLYING AND GANG REDUCTION FOR IMPROVED EDUCATION ACT

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, today, Mr. EHLERS and I are introducing the Bullying and Gang Reduction for Improved Education Act. It is time that we recognize bullying and gangs as serious problems that impede student achievement.

Bullying, harassment, and gang-related activity have serious consequences for schools and students. Nearly 40% of middle-school and high-school students report that they do not feel safe at school. Children who are bullied miss more school, have lower self-esteem, and are more likely to commit suicide than those who are not.

According to young people themselves, one reason they get involved in gang activity is to seek protection from bullying. We cannot address one without addressing the other.

Contrary to popular belief, bullying is neither a minor nuisance, something to be laughed at or ignored. It is not a rite of passage, but instead interferes with a child's right to attend school and learn. Although any child may be bullied, some children face much greater risks than others. Children who are obese and those whom others perceive to be gay or lesbian are especially at risk.

Violence in our schools caused by gang activity and bullying can cause childhood trauma, depression, anxiety, and post-traumatic stress disorder. These conditions are not conducive to learning. Youth involved in gang activity also have lower expectations about their educational attainment.

The Bullying and Gang Reduction for Improved Education Act would take important steps to address these issues by allowing states and localities to use Safe Schools funds for comprehensive bullying and gang prevention programs.

I urge my colleagues to take a stand. All children, especially societies most vulnerable, deserve their support of the Bullying and Gang Prevention for Improved Education Act.

HONORING MARKET STREET MISSION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. FRELINGHUYSEN. Madam Speaker, I rise today to honor the Market Street Mission in Morristown, Morris County, New Jersey, a vibrant community I am proud to represent. On March 18, 2009, the good citizens of New Jersey will celebrate the Market Street Mission's 120th Anniversary.

The aim of the Market Street Mission is to assist those who are ''homeless, helpless and hopeless'' in northern New Jersey, through physical, emotional, and spiritual support that will guide them toward responsible and productive lives. The Market Street Mission is an experienced organization with a proven method of helping to fight alcoholism, drug abuse, and homelessness in the Northern New Jersey Area. We need the Market Street Mission and more places like it.

The Market Street Mission was established in 1889 by the Reverend Dr. F.W. Owen and his wife, Mrs. Louisa Graves Owen, as a residential program for alcoholic husbands in the Morristown area. With support from the South Street Presbyterian Church, the Mission provided meals, lodging, clothing, and temporary employment for homeless men. Over the years, the Market Street Mission has grown in scope and size.

During the Great Depression, the Market Street Mission ended its affiliation with the Presbyterian Church and added the ''Industrial Department,'' a self-supporting thrift store that provided jobs during difficult economic times. Today, residents of the Mission work at the Industrial Department as part of the successful ''New Reality of Recovery'' program. The Market Street Mission also has an Emergency Assistance program that provides meals and lodging for disadvantaged men, women, and children.

Led by Executive Director G. David Scott, the Market Street Mission continues to offer indispensable support and rehabilitation to those in need.

Madam Speaker, I urge you and my colleagues to join me in congratulating the Market Street Mission, as well as G. David Scott, on the celebration of 120 years serving the people of Northern New Jersey.

TRIBUTE TO COLONEL NICHOLAS GEORGE ''NICK'' PSAKI, JR.

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. SHUSTER. Madam Speaker, I rise today to honor the life and report the passing of an American patriot and a neighbor, Colonel Nicholas George ''Nick'' Psaki, Jr., of Hollidaysburg, Pennsylvania. Colonel Psaki passed away on the afternoon of March 14th at the age of 89.

The passing of Colonel Psaki is yet another reminder for all of us that we are losing a generation of great Americans who served their country in the wars that shaped the world we live in today. The lives and the stories of these Americans, the members of the Greatest Generation, must never be forgotten.

Colonel Psaki was truly a part of that Greatest Generation. He fought with distinction in three wars, seeing combat in World War II, the Korean War and Vietnam. Colonel Psaki made his mark on the golden age of Army aviation and retired from the Army a veteran pilot with over 5,000 hours in flight time spent in fixed and rotary wing aircraft.

Throughout his distinguished military career, Colonel Psaki received numerous medals and commendations for his service to his nation. Among those decorations are the Distinguished Service Medal, the Distinguished Flying Cross, the Purple Heart, the Silver Star, the Legion of Merit, the Bronze Star with 1st Oak Leaf Cluster, the Combat Infantry Badge Second Award, the Master Army Aviator Wings, as well as numerous campaign ribbons and service merit badges.

In addition to his combat service, Colonel Psaki was a graduate of the Command and General Staff College at Fort Leavenworth, Kansas, as well as the Armed Forces Staff College at Norfolk, Virginia, and the U.S. Army War College in Carlisle, Pennsylvania. Preceding these military degrees, Colonel Psaki attended Kings College in New York and received a bachelor's degree in history from the University of Southern California. He is survived by his wife Cindy, his son Nicholas, daughters Diane, Denise, Regina, and Alexandra, three grandchildren, and six great-grandchildren.

Colonel Nick Psaki was a patriot, a family man and an active civic member. For all who came in contact with him, Nicholas Psaki will be remembered as a gentleman who exemplified quiet dignity, thoughtfulness and generosity. Colonel Psaki was a class act in and out of uniform and his absence will be noticeably felt by a grateful nation and by all who knew him.

My thoughts and prayers and those of my constituents are with the members of the

Psaki family as they grieve over their loss. Colonel Psaki was a great American. He will be missed and he will be remembered.

EARMARK DECLARATION

HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. BISHOP of Utah. 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, FY2009 Omnibus Appropriations Act:

Requesting Member: Representative ROB BISHOP

Bill number: H.R. 1105

Account: Economic Development Initiatives

Name of requesting entity: Syracuse City Corporation, UT

Address of requesting entity: 1787 South 200 West, Syracuse, Utah 84075

Description of request: $95,000 for the Davis Economic Technology Cooperative Master Plan, a comprehensive economic development plan for areas within the communities of Syracuse City, West Point City, and Clearfield City, Utah

WATER QUALITY INVESTMENT ACT OF 2009

SPEECH OF

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1262):

Mr. PETERS. Mr. Chair, I rise today in support of H.R. 1262, the ''Water Quality Investment Act of 2009.''

The integrity of our water infrastructure and fresh water drinking sources is critical to our environment, our health and our economy. Many older systems around the Great Lakes have combined sewer systems, which utilize the same pipes to collect rain water, sewage, and domestic and industrial waste. In periods of heavy rain or snow, these systems can overflow and allow raw sewage to be released into our rivers, streets, and homes. As many as 850 billion gallons of this waste is discharged into rivers and streams each year because of combined sewer system overflows.

While the problems of combined sewer systems are clear, the upfront cost of replacing entire sewer systems is beyond the reach of many municipalities. Communities that have the largest problems are often also the oldest communities. They may be struggling with declining populations, falling tax revenues, poverty, and crime. Yet if their infrastructure fails, the pollution moves downstream to the next community.

Because our water infrastructure exists out of sight and beneath our feet, the need for investment is not as obvious as with a crumbling bridge or pothole ridden road. As long as the water comes on when the knob is turned, it is easy to believe that our water infrastructure system is working fine. However, this is often far from the truth.

I am fortunate enough to represent a district that has been able to make the investments necessary to address our largest water quality problems. Because my district is the headwaters of the five major watersheds in Southeast Michigan, the communities surrounding my district have also benefited. It is important to remember that water does not stop at political boundaries; problems left untreated flow downstream and impact our neighbors.

The public works professionals in southeast Michigan have done a tremendous job to curb water pollution in the area and continue to make major strides in cleaning our waterways. Lead by the efforts of John McCulloch, Oakland County Water Resources Commissioner, Oakland County has eliminated all of their untreated CSO and continues to aggressively attack our SSO and storm water control challenges.

Great progress has been made in Oakland County, but it was not made in a vacuum. The federal Government has been a full partner in this process, contributing over $300 million in grant funds in Southeast Michigan to water quality control projects over the past 15 years. That federal investment has lead to over $1 billion dollars in the Rouge Watershed alone, and the water quality of the Rouge River, the Clinton River and the Huron River has improved dramatically because the federal government has been at the table.

Despite all the progress that has been made in my district, there is still more work to be done. That is why it is crucial that we continue to make a strong federal investment in our water infrastructure. H.R. 1262 includes investments in water quality restoration, CSO control, SSO control, and infrastructure repair and I urge my colleagues to support its passage here today.

HONORING THE URBAN LEAGUE OF GREATER RICHMOND, VIRGINIA, FOR 95 YEARS OF EXEMPLARY COMMUNITY SERVICE

HON. ROBERT C. ''BOBBY'' SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 18, 2009

Mr. SCOTT of Virginia. Madam Speaker, I rise today to honor and pay tribute to the Urban League of Greater Richmond, which has served the communities of Richmond, Chesterfield, Henrico, Petersburg, Colonials Heights and Chester, Virginia for 95 years.

One of the oldest of 102 affiliates of the National Urban League, the Urban League of Greater Richmond has enabled many African-Americans and other minorities in the Commonwealth of Virginia to secure economic self-reliance, parity, power, and civil rights.

The Urban League of Greater Richmond has always been committed to assisting those it serves in their professional and personal lives, and to promoting lifelong learning and educational achievement at all levels of education. The Urban League of Greater Richmond provides vital services to the Richmond community. These services include providing access to housing counseling, employment services, a full computer center, credit services, and health services in partnership with the MCV/VCU Hospital Quality Care Unit program.

On Friday, March 20, 2009, the Urban League of Greater Richmond will celebrate its 95th anniversary with music legend Chuck Brown. This event will not only celebrate and honor 95 years of service to the Richmond community, but it will also raise money for college scholarships for underserved students.

I have had the opportunity to work alongside the Urban League of Greater Richmond to better the Richmond community for many years. Whether it's civil rights, crime policy, or welfare reform, the Urban League has always been out there leading the charge and making sure the urban agenda and those issues important to minority communities are a part of the local, state and national conversation.

While today I honor their first 95 years of service of the Urban League of Greater Richmond, I look forward to many, many more years of dedicated service, commitment and passion for the welfare of the people of Greater Richmond. I commend their many volunteers, their hard working staff, their board of directors and their President and CEO Thomas Victory, and I thank the Urban League of Greater Richmond for 95 years of outstanding leadership on issues that directly affect our urban community.

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 Thursday, March 19, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 24

9:30 a.m.
Armed Services
To hold hearings to examine United States European Command and United States Joint Forces Command; with the possibility of a closed session following in SR–222.
SH–216

Foreign Relations
To hold hearings to examine alleviating global hunger, focusing on challenges and opportunities for United States leadership.
SD–419

10 a.m.
Banking, Housing, and Urban Affairs
To continue hearings to examine modernizing bank supervision and regulation.
SD–538

Health, Education, Labor, and Pensions
To hold hearings to examine addressing insurance market reform in national health reform.
SD–430

Judiciary
Administrative Oversight and the Courts Subcommittee
To hold hearings to examine abusive credit card practices and bankruptcy.
SD–226

10:30 a.m.
Environment and Public Works
Clean Air and Nuclear Safety Subcommittee
To hold hearings to examine Three Mile Island, focusing on lessons learned over the past 30 years.
SD–406

2:30 p.m.
Energy and Natural Resources
To hold hearings to examine the nomination of Thomas L. Strickland, of Colorado, to be Assistant Secretary of the Interior for Fish and Wildlife.
SD–366

Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

MARCH 25

9:30 a.m.
Foreign Relations
To hold hearings to examine the nomination of Christopher R. Hill, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador of the United States of America to the Republic of Iraq.
SD–419

Homeland Security and Governmental Affairs
To hold hearings to examine Southern border violence, focusing on homeland security threats, vulnerabilities, and responsibilities.
SD–342

Judiciary
To hold oversight hearing to examine the Federal Bureau of Investigation.
SH–216

Veterans' Affairs
To hold hearings to examine State-of-the-Art information technology (IT) solutions for Veterans' Affairs benefits delivery.
SR–418

10 a.m.
Appropriations
Defense Subcommittee
To hold hearings to examine the President's proposed budget request for fiscal year 2010 for National Guard and Reserve.
SD–192

Environment and Public Works
To hold hearings to examine transportation investment.
SD–406

10:30 a.m.
Small Business and Entrepreneurship
To hold hearings to examine the President's proposed budget request for fiscal year 2010 for the Small Business Administration.
SR–428A

Aging
To hold hearings to examine an update from the Alzheimer's Study Group.
SD–106

2 p.m.
Energy and Natural Resources
Energy Subcommittee
To hold hearings to examine how to improve energy market transparency and regulation.
SD–366

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

Foreign Relations
To hold hearings to examine foreign policy and the global economic crisis.
SD–419

Finance
Health Care Subcommittee
To hold hearings to examine the role of long-term care in health reform.
SD–215

Armed Services
Personnel Subcommittee
To hold hearings to examine reserve component programs of the Department of Defense.
SR–232A

MARCH 26

10 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of Jane Holl Lute, of New York, to be Deputy Secretary of Homeland Security.
SD–342

2 p.m.
Armed Services
Airland Subcommittee
To hold hearings to examine current and future roles, missions, and capabilities of United States military land power.
SR–222

2:30 p.m.
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

APRIL 1

10 a.m.
Veterans' Affairs
To hold hearings to examine the nomination of W. Scott Gould, of the District of Columbia, to be Deputy Secretary of Veterans Affairs.
SR–418

CANCELLATIONS

APRIL 2

2 p.m.
Armed Services
To hold hearings to examine the report of the Congressional Commission on the Strategic Posture of the United States.
SD–106

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3323–S3380

Measures Introduced: Eleven bills and three resolutions were introduced, as follows: S. 627–637, and S. Res. 76–78. **Pages S3368–69**

Measures Reported:

Special Report entitled "History, Jurisdiction, and a Summary of Activities of the Committee on Energy and Natural Resources During the 110th Congress". (S. Rept. No. 111–8)

S. 146, to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads. (S. Rept. No. 111–9)

S. 277, to amend the National and Community Service Act of 1990 to expand and improve opportunities for service, with an amendment in the nature of a substitute. **Page S3368**

Measures Passed:

Federal Aviation Administration Extension Act: Senate passed H.R. 1512, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, clearing the measure for the President. **Page S3379**

National Rehabilitation Counselors Appreciation Day: Senate agreed to S. Res. 78, designating March 22, 2009, as "National Rehabilitation Counselors Appreciation Day". **Page S3379**

Measures Considered:

Revolutionary War and War of 1812 Battlefield Protection Act: Senate continued consideration of H.R. 146, to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, taking action on the following amendments proposed thereto: **Pages S3338–48, S3348–63**

Rejected:

Coburn Amendment No. 680 (to Amendment No. 684), to ensure that the general public has full access to our national parks and to promote the health and safety of all visitors and employees of the National Park Service. (By 79 yeas to 19 nays (Vote No. 101), Senate tabled the amendment.) **Pages S3338, S3342, S3348–49**

Coburn Amendment No. 679 (to Amendment No. 684), to provide for the future energy needs of the United States and eliminate restrictions on the development of renewable energy. (By 65 yeas to 33 nays (Vote No. 102), Senate tabled the amendment.) **Pages S3338, S3349–50**

Coburn Amendment No. 675 (to Amendment No. 684), to prohibit the use of eminent domain and to ensure that no American has their property forcibly taken from them by authorities granted under this Act. (By 63 yeas to 45 nays (Vote No. 103), Senate tabled the amendment.) **Pages S3339, S3342–48, S3351–52**

Pending:

Bingaman Amendment No. 684, in the nature of a substitute. **Pages S3338–48, S3348–63**

Coburn Amendment No. 682 (to Amendment No. 684), to protect scientists and visitors to federal lands from unfair penalties for collecting insignificant rocks. **Page S3340**

Coburn Amendment No. 677 (to Amendment No. 684), to require Federal agencies to determine on an annual basis the quantity of land that is owned by each Federal agency and the cost to taxpayers of the ownership of the land. **Pages S3340–42**

Coburn Amendment No. 683 (to Amendment No. 684), to prohibit funding for congressional earmarks for wasteful and parochial pork projects. **Page S3361**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Thursday, March 19, 2009, and that there be 20 minutes of debate, equally divided and controlled between Senators Bingaman and Coburn, or their designees; that upon the use or yielding back of time, Senate vote on or in relation to the amendments as listed below, and that the order with respect to time prior to votes and

vote sequencing remain in effect: Coburn Amendment No. 677 (to Amendment No. 684) (listed above); Coburn Amendment No. 682 (to Amendment No. 684) (listed above); Coburn Amendment No. 683 (to Amendment No. 684) (listed above); provided that there be 30 minutes of debate with respect to the bill, equally divided and controlled between Senators Bingaman and Coburn, or their designees, and that upon the use or yielding back of time, Senate proceed as provided for under the order of March 17, 2009, with all other provisions remaining in effect. **Page S3363**

Kagan Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 2:00 p.m., on Thursday, March 19, 2009, Senate begin consideration of the nomination of Elena Kagan, of Massachusetts, to be Solicitor General of the United States; that there be 6 hours of debate with respect to the nomination, with the time equally divided and controlled between Senators Leahy and Specter, or their designees; that upon the use or yielding back of time, Senate vote on confirmation of the nomination. **Page S3379**

Nomination Confirmed: Senate confirmed the following nomination:

By 92 yeas 5 nays (Vote No. EX. 100), Ronald Kirk, of Texas, to be United States Trade Representative, with the rank of Ambassador.

Pages S3328–38, S3348, S3380

Nominations Received: Senate received the following nominations:

James W. Miller, of Virginia, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

Ashton B. Carter, of Massachusetts, to be Under Secretary of Defense for Acquisition, Technology, and Logistics.

Susan Flood Burk, of Virginia, to be Special Representative of the President, with the rank of Ambassador.

Russlynn Ali, of California, to be Assistant Secretary for Civil Rights, Department of Education.

Carmel Martin, of Maryland, to be Assistant Secretary for Planning, Evaluation, and Policy Development, Department of Education.

Charles P. Rose, of Illinois, to be General Counsel, Department of Education.

Ronald H. Weich, of the District of Columbia, to be an Assistant Attorney General. **Pages S3379–80**

Messages from the House: **Page S3368**

Measures Referred: **Page S3368**

Executive Reports of Committees: **Page S3368**

Additional Cosponsors: **Page S3369–70**

Statements on Introduced Bills/Resolutions: **Pages S3370–78**

Additional Statements: **Pages S3367–68**

Amendments Submitted: **Page S3378**

Notices of Hearings/Meetings: **Page S3378**

Authorities for Committees to Meet: **Pages S3378–79**

Record Votes: Four record votes were taken today. (Total—103) **Pages S3348–52**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:07 p.m., until 9:30 a.m. on Thursday, March 19, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3379.)

Committee Meetings

(Committees not listed did not meet)

DEPARTMENT OF DEFENSE MEDICAL PROGRAMS

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine Department of Defense medical programs, after receiving testimony from Lieutenant General Eric B. Shoomaker, USA, Surgeon General of the Army and Commander, Army Medical Command, and Major General Patricia D. Horoho, USA, Chief, Army Nurse Corps, both of the United States Army, Vice Admiral Adam M. Robinson, USN, Surgeon General of the Navy, and Rear Admiral Christine M. Bruzek-Kohler, USN, Director, Navy Nurse Corps, both of the United States Navy, and Lieutenant General James G. Roudebush, USAF, Surgeon General of the Air Force, and Major General Kimberly A. Siniscalchi, USAF, Assistant Surgeon General of the Air Force, Nursing Services and Medical Force Development, both of the United States Air Force, all of the Department of Defense.

MILITARY SUICIDE PREVENTION

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine incidents of suicides of United States Servicemembers and initiatives within the Department of Defense to prevent military suicides, after receiving testimony from Senator Cornyn; General Peter W. Chiarelli, USA, Vice Chief of Staff, Lieutenant General Benjamin C. Freakley, USA, Commanding General, Army Accessions Command, Major General David A. Rubenstein, USA, Deputy Surgeon General of the Army, Brigadier General Loree K. Sutton, USA, Director, Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury, and

Brigadier General Michael S. Linnington, USA, Commandant, Corps of Cadets, United States Military Academy, all of the United States Army, Admiral Patrick M. Walsh, USN, Vice Chief of Naval Operations, United States Navy, General James F. Amos, USMC, Assistant Commandant, United States Marine Corps, General William M. Frasier III, USAF, Vice Chief of Staff, United States Air Force, all of the Department of Defense; and A. Kathryn Power, Director, Center for Mental Health Services, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services.

RISK MANAGEMENT OVERSIGHT

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance and Investment concluded a hearing to examine risk management oversight at Federal financial regulators, after receiving testimony from Scott M. Polakoff, Acting Director, Office of Thrift Supervision, and Timothy W. Long, Senior Deputy Comptroller, Bank Supervision Policy and Chief National Bank Examiner, Office of the Comptroller of the Currency, both of the Department of the Treasury; Orice M. Williams, Director, Financial Markets and Community Investment, Government Accountability Office; Roger T. Cole, Director, Division of Banking Supervision and Regulation, Board of Governors of the Federal Reserve System; and Erik Sirri, Director, Division of Trading and Markets, United States Securities and Exchange Commission.

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nomination of Gary Locke, of Washington, to be Secretary of Commerce, after the nominee, who was introduced by Senators Murray and Cantwell, testified and answered questions in his own behalf.

NUCLEAR ENERGY DEVELOPMENT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine nuclear energy development, after receiving testimony from Dale E. Klein, Chairman, Nuclear Regulator Commission; Marvin S. Fertel, Nuclear Energy Institute, and Thomas B. Cochran, Natural Resources Defense Council, Inc., both of Washington, D.C.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the nomination of David J. Hayes, of Virginia, to be Deputy Secretary of the Interior.

HEALTH CARE QUALITY

Committee on Finance: Subcommittee on Health Care concluded a hearing to examine what is health care quality and who decides, after receiving testimony from Carolyn M. Clancy, Director, Agency for Healthcare Research and Quality, Department of Health and Human Services; Marjorie Kanof, Managing Director, Health Care, Government Accountability Office; and Brent C. James, Intermountain Healthcare Institute for Health Care Delivery Research, Salt Lake City, Utah.

DISASTER HOUSING

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Disaster Recovery concluded a hearing to examine findings from the Disaster Recovery Subcommittee Special Report and working with the Administration on a way forward, focusing on disaster housing and challenges facing the disaster housing mission, after receiving testimony from Nancy Ward, Acting Administrator, Federal Emergency Management Agency, Department of Homeland Security; Nelson R. Bregon, General Deputy Assistant Secretary of Housing and Urban Development for the Office of Community Planning and Development; Sheila Crowley, National Low Income Housing Coalition, Washington, D.C.; Krystal Williams, Louisiana Housing Alliance, New Orleans; Reilly Morse, Mississippi Center for Justice Katrina Recovery Office, Biloxi; and Karen Paup, Texas Low Income Housing Information Service, Austin.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported S. 277, to amend the National and Community Service Act of 1990 to expand and improve opportunities for service.

STRENGTHENING FORENSIC SCIENCE

Committee on the Judiciary: Committee concluded a hearing to examine the National Academy of Science's report entitled ''Strengthening Forensic Science in the United States: A Path Forward'', after receiving testimony from Harry T. Edwards, Senior Circuit Judge and Chief Judge Emeritus, United States Court of Appeals for the District of Columbia.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 27 public bills, H.R. 1577–1603; and 6 resolutions, H. Res. 258–263, were introduced. **Pages H3640–41**

Additional Cosponsors: **Pages H3641–42**

Report Filed: A report was filed today as follows:

H. Res. 257, providing for consideration of motions to suspend the rules (H. Rept. 111–40). **Page H3640**

Speaker: Read a letter from the Speaker wherein she appointed Representative Butterfield to act as Speaker pro tempore for today. **Page H3529**

Chaplain: The prayer was offered by the guest Chaplain, Rev. George E. Battle, Bishop, North Eastern Episcopal District, African Methodist Episcopal Zion Church, Charlotte, North Carolina. **Page H3529**

Suspension: The House agreed to suspend the rules and pass the following measure:

Federal Aviation Administration Extension Act of 2009: H.R. 1512, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund and to amend title 49, United States Code, to extend authorizations for the airport improvement program. **Pages H3533–34**

Generations Invigorating Volunteerism and Education Act: The House passed H.R. 1388, to reauthorize and reform the national service laws, by a yea-and-nay vote of 321 yeas to 105 nays, Roll No. 140. **Pages H3543–H3608**

Agreed to the Foxx motion to recommit the bill to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with amendments, by a recorded vote of 318 ayes to 105 noes, Roll No. 139. Subsequently, Representative George Miller (CA) reported the bill back to the House with the amendments and the amendments were agreed to. **Pages H3604–07**

Agreed by unanimous consent that the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule 18 and clauses 8 and 9 of rule 20. **Page H3594**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule. **Page H3553**

Accepted:

Andrews amendment (No. 1 printed in H. Rept. 111–39), as modified, that makes certain technical changes; allows interagency agreements between Federal agencies to support national service programs by approving the use of service positions in projects carried out by other agencies; clarifies that the goal of reaching 250,000 volunteers is throughout all national service positions, not just AmeriCorps; and clarifies that the Corporation should promote efficiency and eliminate duplicative requirements in applications and report back to the authorizing committees on its progress in doing so. Adds language to promote community based efforts to reduce crime and recruit public safety officers into service opportunities. Adds "severely economically distressed community" as a new definition. Includes a new activity under the Opportunity Corps focused on a musician and artists corps program that helps meet educational needs in low income communities. Incorporates language that would increase access to and participation in federally supported nutrition programs (an earlier request for a recorded vote was vacated and the amendment was considered adopted pursuant to the ruling of the Chair that the ayes had prevailed on a voice vote); **Pages H3583–89, H3590**

Hunter amendment (No. 3 printed in H. Rept. 111–39) that removes veteran's educational benefits from being taken into account when calculating the maximum award an individual could receive for participating in one of the national service programs; **Pages H3590–91**

Roskam amendment (No. 7 printed in H. Rept. 111–39) that requires all authorized programs to be reviewed by the OMB's Program Assessment Rating Tool; requires GAO to do a study on the National Civilian Community Corps program; and amends the underlying legislation to continue the annual evaluation requirement for the National Civilian Community Corps, not a single evaluation by 2014; **Pages H3595–96**

Hill amendment (No. 9 printed in H. Rept. 111–39) that denotes that sending care packages to soldiers deployed in combat zones overseas is included as an eligible service program; **Pages H3597–98**

Teague amendment (No. 10 printed in H. Rept. 111–39) that aids veterans in their pursuit of education and professional opportunities, helps veterans with the claims process, and assists rural, disabled, and unemployed veterans with transportation needs; **Pages H3598–99**

Pingree (ME) amendment (No. 2 printed in H. Rept. 111–39) that adds to the list of approved

Clean Energy Corps activities the development of clean energy programs designed to meet the needs of rural communities (by a recorded vote of 388 ayes to 36 noes, Roll No. 133); **Pages H3589–90, H3600–01**

Loebsack amendment (No. 4 printed in H. Rept. 111–39) that authorizes a new grant program, the Volunteer Generation Fund, to be administered by the Corporation for National and Community Service (by a recorded vote of 261 ayes to 168 noes, Roll No. 134); **Pages H3591–93, H3601–02**

Kilroy amendment (No. 6 printed in H. Rept. 111–39) that provides volunteers to supervise physical education classes at elementary and secondary schools, provide nutrition education to students, and supervise, organize, and manage after school physical activity/education programs. The amendment also provides services to elderly people through food deliveries, legal and medical services provided in the home, and transportation (by a recorded vote of 372 ayes to 57 noes, Roll No. 136); **Pages H3594–95, H3602–03**

Markey (CO) amendment (No. 8 printed in H. Rept. 111–39) that increases the operational support given to organizations for full-time individuals enrolled in an approved national service position. The amendment proposes increasing the support from $600 to $800 and from $800 to $1000 if program supports at least 50 percent disadvantaged youth (by a recorded vote of 283 ayes to 147 noes, Roll No. 137); and **Pages H3596–97, H3603–04**

Titus amendment (No. 11 printed in H. Rept. 111–39) that creates a National Service Reserve Corps and requires an annual service requirement of at least 10 hours and/or annual training. A member of the National Service Reserve Corps is one who has completed a term of national service, fulfilled training, and will respond to national disasters and other emergencies. These individuals will be listed in a national database for the ease of immediate deployment in case of emergency (by a recorded vote of 339 ayes to 93 noes, Roll No. 138). **Pages H3599–H3600, H3604**

Rejected:

Roe (TN) amendment (No. 5 printed in H. Rept. 111–39), as modified, that sought to set an authorization for AmeriCorps, the Trust, Innovative programs, audits and evaluations at the FY 2008 level for FY 2010, and as such sums as may be necessary for fiscal years 2011 through 2014 (by a recorded vote of 175 ayes to 256 noes, Roll No. 135). **Pages H3593–94, H3602**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H3608**

H. Res. 250, the rule providing for consideration of the bill, was agreed to by a recorded vote of 248 ayes to 174 noes, Roll No. 132, after agreeing to order the previous question by a yea-and-nay vote of 221 yeas to 182 nays, Roll No. 131. **Pages H3535–43**

Senate Message: Message received from the Senate today appears on page H3529.

Senate Referrals: S. 620 was referred to the Committees on House Administration and Oversight and Government Reform; S. 303 was referred to the Committee on Oversight and Government Reform; and S. J. Res. 8 and S. J. Res. 9 were referred to the Committee on House Administration. **Page H3639**

Quorum Calls—Votes: Two yea-and-nay votes and eight recorded votes developed during the proceedings of today and appear on pages H3542–43, H3543, H3600–01, H3601–02, H3602, H3602–03, H3603–04, H3604, H3606, and H3607–08. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:59 p.m.

Committee Meetings

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies held a hearing on Critical Ongoing Satellite Climate Change Datasets. Testimony was heard from Compton J. Tucker, and Robert Bindschadler, both with the Goddard Space Flight Center, NASA.; Tom Karl, Climate Date Center, NOAA, Department of Energy; and a public witness.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Military Personnel-Army. Testimony was heard from the following officials of the Department of the Army: LTG Michael Rochelle, USA, Deputy Chief of Staff (G–1; and Ronald James, Assistant Secretary of the Army, Manpower and Reserve Affairs.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies continued appropriations hearing. Testimony was heard from public witnesses.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and

Related Agencies held a hearing on Livable Communities, Transit Oriented Development & Incorporating Green Building Practices into Federal Housing and Transportation Policy. Testimony was heard from the Ray LaHood, Secretary of Transportation; and Shaun Donovan, Secretary of Housing and Urban Development.

MILITARY COMMANDS SECURITY RESPONSIBILITIES

Committee on Armed Services: Held a hearing on security developments in the areas of responsibility of the U.S. Southern Command, Northern Command, Africa Command, and Joint Forces Command. Testimony was heard from the following officials of the Department of Defense: ADM James G. Stavridis, USN, Commander, U.S. Southern Command; GEN Victor Eugene Renaurt, Jr., USAF, Commander, U.S. Northern Command, and Commander, North American Aerospace Defense Command; GEN James N. Mattis, USMC, Commander, U.S. Joint Forces Command and Supreme Allied Commander Transformation for NATO; and GEN William E. Ward, USA, Commander, U.S. Africa Command.

DEFENSE MEDICAL INFRASTRUCTURE

Committee on Armed Services: Subcommittee on Military Personnel and the Subcommittee on Readiness held a joint hearing on Medical Infrastructure: Are Health Affairs/TRICARE Management Activity Priorities Aligned with Service Requirements? Testimony was heard from the following officials of the Department of Defense: S. Ward Casscells, M.D., Assistant Secretary, Health Affairs; Peter Potochney, Director, Basing, Office of the Deputy Under Secretary, Installations and Environment; LTG Eric Schoomaker, USA, Commanding General, U.S. Army Medical Command, Surgeon General, Department of the Army; VADM Adam Robinson, USN, Surgeon General, Department of the Navy; and LTG James G. Roudebush, USAF, Surgeon General, Department of the Air Force.

SPACE AND U.S. SECURITY

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on space and U.S. Security. Testimony was heard from public witnesses.

DEFENSE DEPARTMENT BUDGET

Committee on the Budget: Held a hearing on Department of Defense Fiscal Year 2010 Budget. Testimony was heard from Robert Hale, Under Secretary (Comptroller), Department of Defense; and Michael Sullivan, Director, Acquisition and Sourcing Management, GAO.

MEMBERS' DAY

Committee on the Budget: Continued hearings on Members' Day—Part Two. Testimony was heard from Members of Congress.

COMPETITIVENESS AND CLIMATE POLICY

Committee on Energy and Commerce: Subcommittee on Energy and Environment held a hearing on Competitiveness and Climate Policy: Avoiding Leakage of Jobs and Emissions. Testimony was heard from public witnesses.

AIG BAILOUT'S ECONOMIC IMPACT

Committee on Financial Services: Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises held a hearing entitled "American International Group's Impact on the Global Economy: During and After Federal Intervention." Testimony was heard from Scott Polakoff, Acting Director, Office of Thrift Supervision. Department of the Treasury; Orice M. Williams, Director, Financial Markets and Community Investment, GAO; Edward M. Liddy, Chairman and CEO. American International Group; and public witnesses.

DEFENSE DEPARTMENT FOREIGN ASSISTANCE

Committee on Foreign Affairs: Held a hearing on Striking the Appropriate Balance: The Defense Department's Expanding Role in Foreign Assistance. Testimony was heard from GEN Michael W. Hagee, USMC (Ret.), former Commandant of the Marine Corps; Philip L. Christenson, former Assistant Administrator, U.S. Agency for International Development, Department of State; and public witnesses.

MERIDA INITIATIVE

Committee on Foreign Affairs: Subcommittee on Western Hemisphere held a hearing on Guns, Drugs and Violence: The Merida Initiative and the Challenge in Mexico. Testimony was heard from the following officials of the Department of State: David Johnson, Assistant Secretary, Bureau of International Narcotics and Law Enforcement Affairs; and Roberta S. Jacobson, Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs; and public witnesses.

HOMELAND SECURITY INTELLIGENCE

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment held a hearing on Homeland Security Intelligence: Its Relevance and Limitations. Testimony was heard from Joan McNamara. Commander, Los Angeles Police Department; Sheriff Douglas C. Gillespie, Las Vegas Metropolitan Police Department; Chief John W. Gaissert, Commerce Police Department, Georgia; and public witnesses.

AIR CARGO SCREENING

Committee on Homeland Security: Subcommittee on Transportation Security and Infrastructure Protection held a hearing entitled "100% Air Cargo Screening: Can We Secure America's Skies?" Testimony was heard from Ed Kelly, General Manager, Air Cargo, Transportation Security Administration, Department of Transportation; Stephen Lord, Director, Homeland Security and Justice Issues, GAO; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following bills: H.R. 1575, End Government Reimbursement of Excessive Executive Disbursements (End GREED) Act; and H.R. 1107, To enact certain laws relating to public contracts as title 41, United States Code, "Public Contracts."

The Committee also began markup of H.R. 1139, COPS Improvements Act of 2009.

TRIBAL RECOGNITION MEASURES

Committee on Natural Resources: Held a hearing on the following bills: H.R. 31, Lumbee Recognition Act; and H.R. 1385, Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2009. Testimony was heard from Representatives McIntyre, Moran of Virginia, Schuler, McHenry and Jones; Tim Kaine, Governor of Virginia; George Skibine, Acting Deputy Associate Secretary, Policy and Economic Development, Bureau of Indian Affairs, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Ordered reported the following measures: Title IV of H.R. 1256, as amended, Family Smoking Prevention and Tobacco Control Act; H. Res. 223, amended, Honoring the life, achievements, and contributions of Paul Harvey, affectionately known for his signature line, "This is Paul Harvey . . . Good Day;" H.R. 774, To designate the facility of the United States Postal Service located at 46–02 21st Street in Long Island City, New York, as the "Geraldine Ferraro Post Office Building;" and H.R.1397, 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."

CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Granted, by voice vote, a rule authorizing the Speaker to entertain motions that the House suspend the rules at any time on the legislative day of March 19, 2009, relating to a measure addressing excessive compensation paid to employees of corporations in which the Federal government has a significant interest.

FY 2010 BUDGET MEDICARE REFORMS

Committee on Small Business: Held a hearing entitled "The Administration's FY Year 2010 Budget and Medicare: How Will Small Providers be Impacted?" Testimony was heard from public witnesses.

AIR TRAFFIC CONTROL MODERNIZATION

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on ATC Modernization and NextGen: Near-Term Achievable Goals. Testimony was heard from the following officials of the Department of Transportation: Victoria Cox, Senior Vice President for NextGeb and Operations Planning Services, Air Traffic Organization, FAA; Karlin Toner, Director, Staff to the Secretary and Senior Policy Committee for NextGen Coordination; and Calvin L. Scovel III, Inspector General; Gerald Dillingham, Director, Physical Infrastructure Issues, GAO; and a public witness.

BRIEFING—CIA INTELLIGENCE ACTIVITIES

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on CIA Intelligence Activities. The Committee was briefed by departmental witnesses.

Joint Meetings

VETERANS OF FOREIGN WARS

Joint Hearing: Committee on Veterans' Affairs concluded a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of the Veterans of Foreign Wars, after receiving testimony from Glen M. Gardner, Jr., Veterans of Foreign Wars, Round Rock, Texas.

COMMITTEE MEETINGS FOR THURSDAY, MARCH 19, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine United States Pacific Command, United States Strategic Command, and United States Forces Korea, with the possibility of a closed session following in SR–222, 9:30 a.m., SH–216.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine bank supervision and regulators, 10:30 a.m., SD–538.

Subcommittee on Financial Institutions, to hold hearings to examine current issues in deposit insurance, 2 p.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine cybersecurity, focusing on assessing our vulnerabilities and developing an effective defense, 10 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine the Appliance Standards Improvement Act of 2009, 9:30 a.m., SD–366.

Committee on Foreign Relations: to hold hearings to examine prospects for engagement with Russia, 10 a.m., SD–419.

Committee on the Judiciary: business meeting to consider S. 515, to amend title 35, United States Code, to provide for patent reform, and the nomination of Dawn Elizabeth Johnsen, of Indiana, to be an Assistant Attorney General, Department of Justice, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine perspectives from main street on small business lending, 10 a.m., SR–428A.

Select Committee on Intelligence: to hold closed hearings on examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Commerce, Justice and Science, and Related Agencies, on Climate Satellite Requirements and NASA and NOAA Programs, 10 a.m., H–309 Capitol.

Subcommittee on Defense, on AFRICOM, 10 a.m., and on Military Personnel—Navy/Marine Corps, 1:30 p.m., H–140 Capitol.

Subcommittee on Financial Services, and General Government, on The Judiciary Fiscal Year 2010 Budget, 10 a.m., 2220 Rayburn.

Subcommittee on Homeland Security, on Biometric Identification, 10 a.m., 2362–B Rayburn.

Subcommittee on Interior, Environment and Related Agencies, on Council on Environmental Quality, 9:30 a.m., B–308 Rayburn.

Subcommittee on Military Construction, Veterans' Affairs, and Related Agencies, on Pacific Command, 1:30 p.m., H–143 Capitol.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, to continue on Livable Communities, Transit Oriented Development & Incorporating Green Building Practices into Federal Housing and Transportation Policy, 10 a.m., 2359 Rayburn.

Committee on Armed Services, Subcommittee on Oversight and Investigations, hearing on the Project on National Security Reform: Commentary and Alternative Views, 1 p.m., 2212 Rayburn.

Committee on Education and Labor, Subcommittee on Early Childhood, Elementary and Secondary Education, hearing on Improving Early Childhood Development Policies and Practices, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled ''The Salmonella Outbreak: The Role of Industry in Protecting the Nation's Food Supply,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing on the following bills: H.R. 627, Credit Cardholders' Bill of Rights Act of 2009; and H.R. 1456, Consumer Overdraft Protection Fair Practice Act of 2009, 2:30 p.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, hearing entitled ''Examining the Home Affordable Program,'' 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Asia, The Pacific and the Global Environment to mark up H. Con. Res. 55, Recognizing the 30th anniversary of the Taiwan Relations Act, 1 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Border, Maritime and Global Counterterrorism, hearing entitled ''Human Trafficking: Recent Trends,'' 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on Lessons Learned From the 2008 Election, 10 a.m., 2141 Rayburn.

Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law, hearing on the Treatment of Latin Americans of Japanese Descent, European Americans, and Jewish Refugees During World War II, 12 p.m., 2237 Rayburn.

Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on H.R. 1080, Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2009, 10 a.m., 1324 Longworth.

Subcommittee on National Parks, Forests and Public Lands, oversight hearing on Restoring the Federal Public Lands Workforce, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, oversight hearing on Prevention Stimulus Waste and Fraud: Who are the Watchdogs? 10 a.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Investigations and Oversight, hearing on Follow the Money: Accountability and Transparency in Recovery Act Science Funding, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing on the Efforts to Address Urban Stormwater Runoff, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, to mark up the following bills: H.R. 228, To direct the Secretary of Veterans Affairs to establish a scholarship program for students seeking a degree or certificate in the areas of visual impairment and orientation and mobility; H.R. 466, Wounded Veteran Job Security Act; H.R. 1088, Mandatory Veteran Specialist Training Act of 2009; H.R. 1089, Veterans Employment Rights Realignment Act of 2009; and H.R. 1171, Homeless Veterans Reintegration Program Reauthorization Act of 2009, 1 p.m., 340 Cannon.

Subcommittee on Health, to mark up H.R. 1377, To amend title 38, United States Code, to expand veterans eligibility for reimbursement by the Secretary of Veterans Affairs for emergency treatment furnished in a non-Department facility, followed by a hearing on Closing the Health Gap of Veterans in Rural Areas: Discussion of Funding and Resources Coordination, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Oversight, hearing on Troubled Asset Relief Program (TSRP)

and Oversight of Federal Borrowing and the Use of Federal Monies, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, Subcommittee on Intelligence Community Management, executive, briefing on Security Clearances, 10 a.m., 304–HVC.

Select Committee on Energy Independence and Global Warming, hearing entitled ''Constructuring a Green Transportation Policy: Transit Modes and Infrastructure,'' 9:30 a.m., 2203 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Thursday, March 19

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 146, Revolutionary War and War of 1812 Battlefield Protection Act, and after a period of debate vote on or in relation to certain amendments, and vote on passage of the bill; following which, Senate will begin consideration of nomination of Elena Kagan, of Massachusetts, to be Solicitor General of the United States, and after a period of debate, vote on the confirmation thereon.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, March 19

House Chamber

Program for Thursday: To be announced.

Extensions of Remarks, as inserted in this issue

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