United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, TUESDAY, JULY 7, 2009 No. 100

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. CUELLAR).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 7, 2009.

I hereby appoint the Honorable HENRY CUELLAR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

O God, our Source of life, liberty, and everlasting happiness, our weekend celebration of this Nation's Independence Day was filled with parades; religious services; family events; and a wonderful Capitol concert of music, song, and fireworks on the West Lawn of this Capitol building.

Citizens of this land of promise were inspired to rededicate themselves to Your service and to work for the justice and freedom of all Your people.

Called to be representative of the people, Congress must stand together to solidify the Nation's security and meet fiscal responsibilities of our day.

Give all Your grace, prudence, and perseverance to address the needs of our times.

We make our prayer with gracious humility and deepened faith in the power of Your Holy Name, and Your Kingdom come both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WILSON of South Carolina 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.

ADMINISTRATION MISREAD HISTORY

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

Mr. WILSON of South Carolina. Mr. Speaker, Vice President JOE BIDEN recently admitted that the Obama administration misread the economy when drafting their nearly trillion dollar spending bill. Meanwhile, the American people have long known, and House Republicans have long argued, that this administration actually misread history when putting together their massive borrowing bonanza.

Had Democrats followed the example of former Presidents Kennedy and Reagan, they would have implemented the type of broad tax relief for American families and small businesses that has a proven record of stimulating the economy and creating jobs. Today's continued decline in jobs is a symptom of the slow, bureaucratic-driven spending this administration put in place.

Our economy will recover, but small businesses will be far better vehicles of job creation than big government expansion. By saddling future generations with such massive debt while threatening Social Security and encouraging the potential for hyperinflation and higher interest rates, this administration has misread history, misplaced its priorities, and misspent American tax dollars.

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

TO DIE OR NOT TO DIE—THAT IS THE GOVERNMENT QUESTION

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

Mr. POE of Texas. Mr. Speaker, British Government medical ethics advisor Baroness Warnock proclaimed that people who suffer from dementia have a patriotic duty to die. She said: ''The care dementia requires is very expensive and drains the government resources for health care.'' This government decision maker said that people will soon be licensed to put other people down if they are unable to look after themselves. If that wasn't bad enough, she went on to say: ''If you're demented, you're wasting government resources.''

Human beings are a drain on the government; so they need to be put to death? Mr. Speaker, that sounds like a rather sick and demented idea to me.

Government-run medicine like in England puts the government's welfare above the welfare of the people. Government always values itself more than anyone or anything. It's the nature of the beast.

Recently, the President said at a town hall meeting we could save money on health care in America by putting a stop to expensive procedures for people who have been diagnosed with terminal diseases. He said: ''Maybe you're better off not having the surgery, just taking the painkiller.''

Printed on recycled paper.

Now, is our government going to adopt the English system and determine who lives and who dies? It doesn't sound like a healthy health care plan to me.

And that's just the way it is.

PASS THE COOPER-WOLF SAFE COMMISSION BILL TO SAVE AMERICA'S FUTURE ECONOMY

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

Mr. WOLF. Mr. Speaker, our economic house is crumbling. We are being bought piece by piece by China and Saudi Arabia. We owe these and other countries billions. And in a few years, because of this crushing debt and our huge mandated entitlement programs, we will have no money for research to find cures for cancer, Alzheimer's disease, autism, or other diseases. No money for science advances or for education. This Congress cannot abandon the American people and leave our children and grandchildren to shoulder these awful burdens.

There is a way to solve this dilemma. We can pass the bipartisan Cooper-Wolf SAFE Commission bill to save America's future economy.

This Congress, this Congress that we serve in now, is failing, is failing the American people.

ENERGY INDEPENDENCE AND FOSSIL FUELS

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

Mr. YOUNG of Alaska. Mr. Speaker, the week before last we passed the crap-and-trade bill, which is a terrible bill. It's a tax.

Then we celebrated Independence Day. And the week before Independence Day, we became more dependent on foreign countries for our fossil fuels.

We have fossil fuels in the United States, and we need them. Next year we're going to spend $552 billion buying oil from overseas.

I think it's time that this Congress accepts the fact that we have to have fossil fuels for the bridge to the future in order to have the ability to provide power for this country. Let's do the right thing for this Nation.

HEALTH CARE

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

Ms. FOXX. Mr. Speaker, Democrats in Washington are pushing hard for a government takeover of health care. The result will be devastating for patients across the country.

In countries that already have government-run health care, like Britain and Canada, bureaucrats are put in charge of intimate health care decisions and critical care is denied.

Look at the story of one woman from Great Britain, Sarah Anderson. Her father suffers from a kidney tumor that could be treated by a drug approved throughout most of Europe. But, sadly, Britain's National Health Service is denying Sarah's father this lifesaving treatment.

This case is not unique as patients across Great Britain are denied the care they need by the government's health care service. In much of Canada, patients are even banned from paying for private health care.

The Democrats' health care reform would be a bad prescription for the American people.

Republicans have a better health care reform that provides high-quality health care coverage to every American and that doesn't put bureaucrats between patients and the care they need.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 7, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 7, 2009, at 10:37 a.m.:

That the Senate passed with an amendment, requests a conference with the House, and appoints conferees, H.R. 2918.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

UTAH RECREATIONAL LAND EXCHANGE ACT OF 2009

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1275) to direct the exchange of certain land in Grand, San Juan, and Uintah Counties, Utah, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1275

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 ''Utah Recreational Land Exchange Act of 2009''.

SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term ''Federal land'' means the land located in Grand, San Juan, and Uintah Counties, Utah, that is identified on the maps as—

(A) ''BLM Subsurface only Proposed for Transfer to State Trust Lands'';

(B) ''BLM Surface only Proposed for Transfer to State Trust Lands''; and

(C) ''BLM Lands Proposed for Transfer to State Trust Lands''.

(2) GRAND COUNTY MAP.—The term ''Grand County Map'' means the map prepared by the Bureau of Land Management entitled ''Utah Recreational Land Exchange Act Grand County'', dated May 14, 2009, and relating to the exchange of Federal land and non-Federal land in Grand and San Juan Counties, Utah.

(3) MAPS.—The term ''maps'' means the Grand County Map and the Uintah County Map.

(4) NON-FEDERAL LAND.—The term ''non-Federal land'' means the land in Grand, San Juan, and Uintah Counties, Utah, that is identified on the maps as—

(A) ''State Trust Land Proposed for Transfer to BLM''; and

(B) ''State Trust Minerals Proposed for Transfer to BLM''.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) STATE.—The term ''State'' means the State of Utah, as trustee under the Utah State School and Institutional Trust Lands Management Act (Utah Code Ann. 53C–1–101 et seq.).

(7) UINTAH COUNTY MAP.—The term ''Uintah County Map'' means the map prepared by the Bureau of Land Management entitled ''Utah Recreational Land Exchange Act Uintah County'', dated May 14, 2009, and relating to the exchange of Federal land and non-Federal land in Uintah County, Utah.

SEC. 3. EXCHANGE OF LAND.

(a) IN GENERAL.—If the State offers to convey to the United States title to the non-Federal land, the Secretary shall—

(1) accept the offer; and

(2) on receipt of all right, title, and interest of the State in and to the non-Federal land, convey to the State all right, title, and interest of the United States in and to the Federal land.

(b) CONDITIONS.—The exchange authorized under subsection (a) shall be subject to—

(1) valid existing rights;

(2) except as otherwise provided by this section—

(A) section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716); and

(B) any other applicable laws;

(3) all costs of land exchanges under this Act, including but not limited to appraisals, surveys, and related costs, shall be paid equally by the Secretary and the State; and

(4) any additional terms and conditions that the Secretary and the State mutually determine to be appropriate.

(c) TITLE APPROVAL.—Title to the Federal land and non-Federal land to be exchanged under this section shall be in a format acceptable to the Secretary and the State.

(d) APPRAISALS.—

(1) IN GENERAL.—The value of the Federal land and the non-Federal land shall be determined by appraisals conducted by 1 or more independent appraisers selected jointly by the Secretary and the State.

(2) APPLICABLE LAW.—The appraisals conducted under paragraph (1) shall be conducted in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(3) APPROVAL.—The appraisals conducted under paragraph (1) shall be submitted to the Secretary and the State for approval.

(4) ADJUSTMENT.—

(A) IN GENERAL.—If value is attributed to any parcel of Federal land because of the presence of minerals subject to leasing under the Mineral Leasing Act (30 U.S.C. 181 et seq.), the value of the parcel (as otherwise established under this subsection) shall be reduced by the estimated value of the payments that would have been made to the State of Utah from bonuses, rentals, and royalties that the United States would have received if such minerals were leased pursuant to the Mineral Leasing Act (30 U.S.C. 181 et seq.).

(B) LIMITATION.—An adjustment under subparagraph (A) shall not be considered as a property right of the State.

(5) AVAILABILITY OF APPRAISALS.—

(A) IN GENERAL.—All final appraisals, appraisal reviews, and determinations of value for land to be exchanged under this section shall be available for public review at the Utah State Office of the Bureau of Land Management at least 30 days before the conveyance of the applicable parcels.

(B) PUBLICATION.—The Secretary or the State, as applicable, shall publish in a newspaper of general circulation in Salt Lake County, Utah, a notice that the appraisals are available for public inspection.

(e) CONVEYANCE OF PARCELS IN PHASES.—

(1) IN GENERAL.—Notwithstanding that appraisals for all of the parcels of Federal land and non-Federal land may not have been approved under subsection (d)(3), parcels of the Federal land and non-Federal land may be exchanged under subsection (a) in 3 phases beginning on the date on which the appraised values of the parcels included in the applicable phase are approved under this subsection.

(2) PHASES.—The 3 phases referred to in paragraph (1) are—

(A) phase 1, consisting of the non-Federal land identified as ''phase one'' land on the Grand County Map;

(B) phase 2, consisting of the non-Federal land identified as ''phase two'' land on the Grand County Map and the Uintah County Map; and

(C) phase 3, consisting of any remaining non-Federal land that is not identified as ''phase one'' land or ''phase two'' land on the Grand County Map or the Uintah County Map.

(3) NO AGREEMENT ON EXCHANGE.—If agreement has not been reached with respect to the exchange of an individual parcel of Federal land or non-Federal land, the Secretary and the State may agree to set aside the individual parcel to allow the exchange of the other parcels of Federal land and non-Federal land to proceed.

(4) TIMING.—It is the intent of Congress that at least the first phase of the exchange of land authorized by subsection (a) be completed not later than 360 days after the date on which the State makes the Secretary an offer to convey the non-Federal land under that subsection.

(f) RESERVATION OF INTEREST IN OIL SHALE.—

(1) IN GENERAL.—With respect to Federal land that contains oil shale resources, the Secretary shall reserve an interest in the portion of the mineral estate that contains the oil shale resources.

(2) EXTENT OF INTEREST.—The interest reserved by the United States under paragraph (1) shall consist of—

(A) 50 percent of any bonus bid or other payment received by the State as consideration for securing any lease or authorization to develop oil shale resources;

(B) the amount that would have been received by the Federal Government under the applicable royalty rate if the oil shale resources had been retained in Federal ownership; and

(C) 50 percent of any other payment received by the State pursuant to any lease or authorization to develop the oil shale resources.

(3) PAYMENT.—Any amounts due under paragraph (2) shall be paid by the State to the United States not less than quarterly.

(4) NO OBLIGATION TO LEASE.—The State shall not be obligated to lease or otherwise develop oil shale resources in which the United States retains an interest under this subsection.

(5) VALUATION.—Federal land in which the Secretary reserves an interest under this subsection shall be appraised—

(A) without regard to the presence of oil shale; and

(B) in accordance with subsection (d).

(g) WITHDRAWAL OF FEDERAL LAND PRIOR TO EXCHANGE.—Subject to valid existing rights, during the period beginning on the date of enactment of this Act and ending on the earlier of the date that the Federal land is removed from the exchange or the date on which the Federal land is conveyed under this Act, the Federal land is withdrawn from—

(1) disposition (other than disposition under section 4) under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) the operation of—

(A) the mineral leasing laws;

(B) the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.); and

(C) the first section of the Act of July 31, 1947 (commonly known as the ''Materials Act of 1947'') (30 U.S.C. 601).

(h) APPURTENANT WATER RIGHTS.—Any conveyance of a parcel of Federal land or non-Federal land under this Act shall include the conveyance of water rights appurtenant to the parcel conveyed.

(i) EQUAL VALUE EXCHANGE.—

(1) IN GENERAL.—The value of the Federal land and non-Federal land to be exchanged under this Act—

(A) shall be equal; or

(B) shall be made equal in accordance with paragraph (2).

(2) EQUALIZATION.—

(A) SURPLUS OF FEDERAL LAND.—If the value of the Federal land exceeds the value of the non-Federal land, the value of the Federal land and non-Federal land shall be equalized, as determined to be appropriate and acceptable by the Secretary and the State, by one or more of the following:

(i) By reducing the acreage of the Federal land to be conveyed.

(ii) By adding additional State land to the non-Federal land to be conveyed.

(iii) Consistent with section 206(b) of the Federal Land Policy and Management Act (43 U.S.C. 1716), by cash equalization of not more than 5 percent of the total value of the lands or interests in lands to be transferred out of Federal ownership.

(B) SURPLUS OF NON-FEDERAL LAND.—If the value of the non-Federal land exceeds the value of the Federal land, the value of the Federal land and non-Federal land shall be equalized, as determined to be appropriate and acceptable by the Secretary and the State, by one or both of the following:.

(i) By reducing the acreage of the non-Federal land to be conveyed.

(ii) Consistent with section 206(b) of the Federal Land Policy and Management Act (43 U.S.C. 1716), by cash equalization of not more than 5 percent of the total value of the lands or interests in lands to be transferred out of Federal ownership.

(3) NOTICE AND PUBLIC INSPECTION.—

(A) IN GENERAL.—If the Secretary and the State determine to add or remove land from the exchange, the Secretary or the State shall—

(i) publish in a newspaper of general circulation in Salt Lake County, Utah, a notice that identifies when and where a revised exchange map will be available for public inspection; and

(ii) transmit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a copy of the revised exchange map.

(B) LIMITATION.—The Secretary and the State shall not add or remove land from the exchange until at least 30 days after the date on which the notice is published under subparagraph (A)(i) and the map is transmitted under subparagraph (A)(ii).

SEC. 4. STATUS AND MANAGEMENT OF LAND AFTER EXCHANGE.

(a) ADMINISTRATION OF NON-FEDERAL LAND.—

(1) IN GENERAL.—Subject to paragraph (2) and in accordance with section 206(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(c)), the non-Federal land acquired by the United States under this Act shall become part of, and be managed as part of, the Federal administrative unit or area in which the land is located.

(2) WITHDRAWAL PARCELS.—Any non-Federal land acquired by the United States under this Act identified on the maps as ''Withdrawal Parcels'' is withdrawn from the operation of the mineral leasing and mineral material disposal laws.

(3) RECEIPTS.—

(A) IN GENERAL.—Any mineral receipts derived from the non-Federal land acquired under this Act shall be paid into the general fund of the Treasury.

(B) APPLICABLE LAW.—Mineral receipts from the non-Federal land acquired under this Act shall not be subject to section 35 of the Mineral Leasing Act (30 U.S.C. 191).

(b) GRAZING PERMITS.—

(1) IN GENERAL.—If land conveyed under this Act is subject to a lease, permit, or contract for the grazing of domestic livestock in effect on the date of acquisition, the Secretary and the State shall allow the grazing to continue for the remainder of the term of the lease, permit, or contract, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements.

(2) RENEWAL.—To the extent allowed by Federal or State law, on expiration of any grazing lease, permit, or contract described in paragraph (1), the holder of the lease, permit, or contract shall be entitled to a preference right to renew the lease, permit, or contract.

(3) CANCELLATION.—

(A) IN GENERAL.—Nothing in this Act prevents the Secretary or the State from canceling or modifying a grazing permit, lease, or contract if the land subject to the permit, lease, or contract is sold, conveyed, transferred, or leased for non-grazing purposes by the Secretary or the State.

(B) LIMITATION.—Except to the extent reasonably necessary to accommodate surface operations in support of mineral development, the Secretary or the State shall not cancel or modify a grazing permit, lease, or contract because the land subject to the permit, lease, or contract has been leased for mineral development.

(4) BASE PROPERTIES.—If land conveyed by the State under this Act is used by a grazing permittee or lessee to meet the base property requirements for a Federal grazing permit or lease, the land shall continue to qualify as a base property for the remaining term of the lease or permit and the term of any renewal or extension of the lease or permit.

(c) HAZARDOUS MATERIALS.—

(1) IN GENERAL.—The Secretary and, as a condition of the exchange, the State shall make available for review and inspection any record relating to hazardous materials on the land to be exchanged under this Act.

(2) COSTS.—The costs of remedial actions relating to hazardous materials on land acquired under this Act shall be paid by those entities responsible for the costs under applicable law.

(d) EASEMENT.—The conveyance of Federal land in sec. 33, T. 4 S., R. 24 E., and sec. 4, T. 5 S., R. 24 E., of the Salt Lake Meridian, shall be subject to a 1,000 foot wide scenic easement and a 200 foot wide road right-of-way previously granted to the National Park Service for the Dinosaur National Monument, as described in Land Withdrawal No. U–0141143, pursuant to the Act of September 8, 1960 (74 Stat. 857,861).

SEC. 5. TERMINATION OF AUTHORITY.

The provisions of this Act shall terminate 5 years after the date of enactment.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Alaska (Mr. YOUNG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

Before I go any further, I would like to thank the distinguished gentleman from Alaska, the former chairman of the Natural Resources Committee, for joining me in managing the bills from our committee here today.

Mr. Speaker, H.R. 1275, introduced by our colleague Representative JIM MATHESON, would direct the Secretary of the Interior to enter into a land exchange with the State of Utah for certain lands in Grand, San Juan, and Uintah Counties in Utah.

The legislation authorizes the exchange of approximately 40,000 acres of Federal land and minerals for approximately 42,000 acres of State land and minerals. This exchange would place valuable conservation and recreation lands into public ownership while also benefiting public school funding in Utah.

Many of the lands that the State of Utah is proposing to transfer to the Bureau of Land Management, the BLM, are lands within wilderness study areas, Areas of Critical Environmental Concern, or other sensitive areas. Many of the lands the State would acquire from the BLM have a high potential for development, and the State puts the receipts generated from the use of these lands into a trust fund for public schools in Utah.

So I commend Representative MATHESON for his hard work on, and commitment to advancing, H.R. 1275. Many land exchanges in Utah have been controversial in the past, but by actively working with all the stakeholders affected by this exchange, this bill now enjoys broad support.

So I support H.R. 1275 and I urge its adoption by House today.

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

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1275 authorizes a land exchange that enhances the State of Utah's ability to fund public education. In return for 36,000 acres, the Federal Government will receive 46,000 acres of land that is of a higher conservation value and is believed to be environmentally sensitive.

This legislation passed the House in the 109th and 110th Congresses and is supported by local and State governments, as well as representatives of the outdoor recreational and environmental communities. I believe this is a good bill.

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

Ms. BORDALLO. Mr. Speaker, I again urge Members to support the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 1275, as amended.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

□ 1415

NATIVE AMERICAN IRON WORKER TRAINING PROGRAM

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1129) to authorize the Secretary of the Interior to provide an annual grant to facilitate an iron working training program for Native Americans.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1129

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

SECTION 1. IRON WORKING TRAINING PROGRAM FOR NATIVE AMERICANS.

(a) IN GENERAL.—To the extent funds are made available for this purpose, the Secretary of the Interior, acting through the Bureau of Indian Affairs, shall annually provide a grant to an eligible entity to provide an iron working training program for members of federally recognized Indian tribes. An eligible entity that receives a grant under this section shall provide a program that meets the requirements of subsection (b) and may require such other criteria of the program and participants of the program as the eligible entity considers appropriate to further the goals of the program.

(b) REQUIREMENTS.—A program funded by a grant under this section shall—

(1) provide specialized training in iron working skills to adult members of federally recognized Indian tribes;

(2) provide classroom and on-the-job training; and

(3) facilitate job placement for participants upon successful completion of the requirements of the program.

(c) ELIGIBLE ENTITY.—To be eligible for a grant under this section, an entity shall—

(1) have proven experience in providing successful iron working training programs to Native American populations; and

(2) have the facilities necessary to carry out such a program with a grant provided under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Alaska (Mr. YOUNG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

Ms. BORDALLO. Mr. Speaker, H.R. 1129 would authorize appropriations for an Interior Department program that makes grants available to fund a Native American ironworker training program. The appropriations for this program have been made for many years, and this program provides both classroom and on-the-job ironwork training for members of federally recognized Indian tribes.

This program would also facilitate job placements for those tribal members who successfully complete the requirements of the program.

With unemployment rates rising to a staggering rate of over 80 percent on some Indian reservations, this program is desperately needed. The ironworker training program provides Native American participants with the knowledge and the ability to join a skilled labor force as a career.

I want to commend our colleague Mr. LYNCH of Massachusetts for his hard work and dedication to this legislation, and I ask my colleagues to support its passage.

I reserve the balance of my time.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1129, which will create an ironworking program for Native Americans. The manager for the majority has effectively explained the bill, but I would like to make a few additional comments.

This country is suffering from record unemployment, but few areas are feeling the effects of job loss worse than Indian country. I hope that when Native Americans complete the training available through this program that we're authorizing today in this bill, jobs will be available for them.

Unfortunately, if the Environmental Protection Agency has any say, there will be a lot fewer jobs. One of the first major actions taken by the EPA under the Obama administration was to seek to revoke a key permit issued in 2008 to

the Navajo Nation for the construction of a 1,500-megawatt power plant employing the most advanced clean coal technology available today. This is the Desert Rock project.

Navajo Nation President Joe Shirley said that Desert Rock would create ''500 permanent jobs at union wages on a reservation with an unemployment rate hovering around 50 percent.''

This is an example that every community in America should follow, but it's an example lost on the Democrat leadership of this House. I hope my friends on the other side of the aisle consider that job training makes sense only when those jobs are available.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield such time as he may consume to the sponsor of this bill, the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentlelady from Guam for yielding me this time. I also would like to thank our chairman, NICK RAHALL, and Ranking Member DOC HASTINGS of the Natural Resources Committee for their cooperation in allowing this bill to move forward.

Mr. Speaker, I rise in support of H.R. 1129, legislation to authorize the Secretary of the Interior to provide annual grants for the development of regional ironworker training programs for Native Americans. Notably, an identical version of this legislation passed the House of Representatives under suspension of the rules by the 110th Congress by a vote of 302–72.

Currently, only one ironworker training program that is specifically geared towards Native Americans exists in the United States, and that is the highly successful National Ironworkers Training Program for American Indians based in Broadview, Illinois. The Broadview program has stemmed from a strong and enduring partnership between the Federal Government's Bureau of Indian Affairs and the Ironworkers International Union, one that has lasted over 35 years.

Working in conjunction with the International Association of Bridge, Structural and Ornamental Iron Workers, the Broadview center provides highly specialized training in ironworking skills and related fabricating and welding shop classes and on-the-job education to Native American Indians from across the United States.

Upon completion of the program, each student possesses essential knowledge in union structure and history, OSHA safety regulations and a variety of ironworking skills, including blueprint reading and related math, arc welding and the erection of structural steel. Broadview graduates are subsequently placed as apprentices at local ironworker unions nationwide and, as a result, are afforded the opportunity to pursue productive and high-quality construction careers.

H.R. 1129 will build upon the success of the Broadview, Illinois, program by facilitating the establishment of regional ironworker training centers for Native Americans across the United States through the authorization of annual Interior Department grants. Mr. Speaker, the impetus behind the legislation is to provide occupational training to Native Americans residing in economically depressed communities, to accord them the opportunity to secure good jobs in the ironworking trade and ensure a solid future for themselves and their families.

H.R. 1129 also stems from and expands upon the ironworkers longstanding relationship with the Native American community. As a structural ironworker for 20 years, I have been a member of Iron Workers Local 7 for 30 years, and I am actually past president of that union. I am well aware of a longstanding contribution made by Native Americans to the ironworking industry.

As noted by the Ironworkers International Union and its president, Joe Hunt, Native Americans have been a part of ironworker history since 1886, when the St. Lawrence River was bridged on tribal land in Quebec and ironworkers' foremen first hired Native Americans as ironworkers.

In my own role here, as an ironworker apprentice, I worked under a number of Native American foremen and general foremen. It was a number of Native American journeymen ironworkers who taught me how to weld and gave me a chance at that trade. As an ironworker foreman and a general foreman myself, I had an opportunity to have a lot of young Native American Indians working in my crews, not only in the Boston area, but out in Indiana and Illinois, as well as New Mexico and Arizona.

And I have had a long relationship with members from the Navajo Tribe. I actually lived for a while on the Navajo Reservation, and I count those men and women as some of my closest friends, and I am greatly indebted to them. I also worked with members of the Apache Tribe and Mohawk Tribe in the New England area. This will really, I think, give a wonderful opportunity to Native Americans who have sort of adopted the ironworking industry as a family business. And it was not uncommon for me to be, as a Caucasian, a minority on a lot of the construction sites that I worked on in New Mexico and in other parts of the country where American Indians really provided the majority of the working members on those jobs.

Again, I would like to thank Chairman RAHALL and Ranking Member HASTINGS for their wonderful support on this legislation, also, Member DALE KILDEE, who has also put his shoulder to the wheel on this bill.

I urge my colleagues to join me in supporting H.R. 1129.

Mr. YOUNG of Alaska. I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 1129.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

TULE RIVER TRIBE WATER DEVELOPMENT ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1945) to require the Secretary of the Interior to conduct a study on the feasibility and suitability of constructing a storage reservoir, outlet works, and a delivery system for the Tule River Indian Tribe of the Tule River Reservation in the State of California to provide a water supply for domestic, municipal, industrial, and agricultural purposes, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1945

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 ''Tule River Tribe Water Development Act''.

SEC. 2. WATER SUPPLY FOR TRIBE.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(2) TRIBE.—The term ''Tribe'' means the Tule River Indian Tribe of the Tule River Reservation in the State of California.

(b) STUDY AND REPORT ON ALTERNATIVES.—

(1) STUDY.—Not later than 2 years after the date on which funds are made available under paragraph (3), the Secretary shall complete a feasibility study to evaluate alternatives (including alternatives for phase I reservoir storage of a quantity of water of not more than 5,000 acre-feet) for the provision of a domestic, commercial, municipal, industrial, and irrigation water supply for the Tribe.

(2) REPORT.—On completion of the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committees on Energy and Natural Resources and Indian Affairs of the Senate a report describing the results of the study.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $3,000,000 to carry out this subsection.

(c) CONDITIONS FOR FUTURE PROJECTS.—

(1) IN GENERAL.—No project constructed relating to the feasibility study under subsection (b) shall provide any water supply for—

(A) the casino of the Tule River Tribe, as in existence on the date of enactment of this Act;

(B) any expansion of that casino;

(C) any other tribal casino; or

(D) any current or future lodging, dining, entertainment, meeting space, parking, or other similar facility in support of a gaming activity.

(2) AVAILABILITY OF WATER SUPPLIES.—A water supply provided by a project constructed relating to the feasibility study under subsection (b) shall be available to serve—

(A) the domestic, municipal, and governmental (including firefighting) needs of the Tribe and members of the Tribe; and

(B) other commercial, agricultural, and industrial needs not related to a gaming activity.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Alaska (Mr. YOUNG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. BORDALLO. Mr. Speaker, the Tule River Water Development Act, sponsored by our colleague from California, Representative DEVIN NUNES, would authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to complete a feasibility study that would evaluate alternatives for a water supply for the Tule River Tribe of the Tule River Tribal Reservation.

The tribe views this study as a very important first step in settling their water right claims. Similar legislation passed the House in the last Congress, and I urge my colleagues to support the passage of H.R. 1945 today.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself as much time as I may consume.

This important legislation, introduced by our California colleagues, DEVIN NUNES and JIM COSTA, is the first step towards improving the water supply situation on the Tule River Indian Reservation. This bill authorizes the Bureau of Reclamation to conduct a feasibility study to capture more surface water on the reservation.

Many areas throughout the West, including California, need new water storage to help meet water supply needs for humans, fish and wildlife. This legislation will help the tribe move one step closer to utilizing its water rights. This legislation enjoys universal support from the tribe and nearby communities and is an excellent example of where neighbors have come together for the common good.

I urge my colleagues to support this very bipartisan piece of legislation.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this bill. I have no further speakers.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 1945.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

SUPPORTING NATIONAL MEN'S HEALTH WEEK

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 142) supporting National Men's Health Week.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 142

Whereas despite the advances in medical technology and research, men continue to live an average of almost 6 fewer years than women and African-American men have the lowest life expectancy;

Whereas 9 of the 10 leading causes of death, as defined by the Centers for Disease Control and Prevention, affect men at a higher percentage than women;

Whereas between the ages of 45 and 54, men are 3 times more likely than women to die of heart attacks;

Whereas men die of heart disease at almost twice the rate of women;

Whereas men die of cancer at almost one and a half times the rate of women;

Whereas testicular cancer is one of the most common cancers in men between the ages of 15 and 34, and when detected early, has a 95 percent survival rate;

Whereas the number of cases of colon cancer among men was almost 54,000 in 2008, and almost half of such men died from the disease;

Whereas the likelihood that a man will develop prostate cancer is 1 in 6;

Whereas the number of men contracting prostate cancer reached over 186,000 in 2008, and almost 29,000 of such men died from the disease;

Whereas African-American men in the United States have the highest incidence in the world of prostate cancer;

Whereas significant numbers of male-related health problems, such as prostate cancer, testicular cancer, infertility, and colon cancer, could be detected and treated if men's awareness of these problems was more pervasive;

Whereas more than one-half the elderly widows now living in poverty were not poor before the death of their husbands, and by age 100 women outnumber men 8 to 1;

Whereas educating both the public and health care providers about the importance of early detection of male health problems will result in reducing rates of mortality for these diseases;

Whereas appropriate use of tests such as Prostate Specific Antigen (PSA) exams, blood pressure screens, and cholesterol screens, in conjunction with clinical examination and self-testing for problems such as testicular cancer, can result in the detection of many of these problems in their early stages and increases in the survival rates to nearly 100 percent;

Whereas women are 100 percent more likely to visit the doctor for annual examinations and preventive services than men;

Whereas men are less likely than women to visit their health center or physician for regular screening examinations of male-related problems for a variety of reasons, including fear, lack of health insurance, lack of information, and cost factors;

Whereas National Men's Health Week was established by Congress and first celebrated in 1994 and urged men and their families to engage in appropriate health behaviors, and the resulting increased awareness has improved health-related education and helped prevent illness;

Whereas the Governors of over 45 States issue proclamations annually declaring Men's Health Week in their States;

Whereas since 1994, National Men's Health Week has been celebrated each June by dozens of States, cities, localities, public health departments, health care entities, churches, and community organizations throughout the Nation, that promote health awareness events focused on men and family;

Whereas the National Men's Health Week website has been established at www.menshealthweek.org and features Governors' proclamations and National Men's Health Week events;

Whereas men who are educated about the value that preventive health can play in prolonging their lifespan and their role as productive family members will be more likely to participate in health screenings;

Whereas men and their families are encouraged to increase their awareness of the importance of a healthy lifestyle, regular exercise, and medical checkups; and

Whereas June 15 through 21, 2009, is National Men's Health Week, which has the purpose of heightening the awareness of preventable health problems and encouraging early detection and treatment of disease among men and boys: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) supports the annual National Men's Health Week; and

(2) requests that the President of the United States issue a proclamation calling upon the people of the United States and interested groups to observe National Men's Health Week with appropriate ceremonies and activities.

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

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

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

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

There was no objection.

□ 1430

Mr. LYNCH. Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I present House Concurrent Resolution 142 for consideration. This resolution expresses our support for the goals and ideals of the annual National Men's Health Week, the observance of which is designed to heighten awareness of preventable health problems and encourage early detection and treatment of disease among men.

Introduced by my colleague, Mr. CUMMINGS of Maryland, on June 3, 2009, and reported out of the Oversight Committee by unanimous consent on June 18, 2009, H. Con. Resolution 142 enjoys strong bipartisan support.

Mr. Speaker, according to the Centers for Disease Control and Prevention, nine of 10 of the leading causes of death in America among men, including heart disease and cancer, affect men at a significantly higher percentage than women. In addition, the CDC has reported that women are 100 percent more likely than men to seek annual medical examinations and preventative health care.

Moreover, health statistics also indicate that, despite advances in medical care, men continue to live an average of approximately 6 fewer years than women—with African American men having the lowest life expectancy.

Nonetheless, many male-related health problems, including prostate cancer, testicular cancer, and colon cancer, are treatable upon early detection. Specifically, the use of prostate cancer-specific antigen exams, blood pressure screenings, and other exams, when coupled with clinical examination and self-testing for testicular cancer, can lead to early detection and increase survival rates to nearly 100 percent.

Accordingly, we must do more to encourage healthy behavior and disease prevention within America's male population. A more concentrated focus on male-related health conditions such as prostate, colon, and testicular cancer, along with a genuine commitment to addressing heart health, will go a long way toward ensuring that men have access to critical health information and treatment.

In addition, it's important to remember that prevention and treatment of men's health conditions are critical not only to men, but also to the health and well-being of the American family; and having just recently celebrated Father's Day, I believe that it is important for this legislative body to recognize men's health from a family perspective.

Furthermore, while an effort to encourage prevention and wellness among the male population can help meet our primary goal of improving health outcomes, in aggregate, utilization of these preventive services can lower health costs that currently are spiraling out of control.

Mr. Speaker, since 1994, National Men's Health Week has served as a catalyst for increased attention towards men's health issues. I strongly urge my colleagues to join me in supporting House Concurrent Resolution 142, recognizing the tremendous importance of these efforts.

I reserve the balance of my time.

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

I rise today in support of H. Con. Res. 142, supporting National Men's Health Week. Since first being signed into law on May 31, 1994, National Men's Health Week has been celebrated all over the Nation during the week leading up to Father's Day as a way to raise men's health awareness and to promote a healthy way of living among men.

Men suffer from many health problems at a higher rate than women. They are almost twice more likely than women to die of heart disease; and between the ages of 45 and 54, men are three times more likely than women to die of heart attacks.

Additionally, diseases such as testicular cancer and prostate cancer affect thousands of men every year. Studies have shown, however, that with proper lifestyle choices and medical assistance, men can fight and survive these diseases.

Many health discrepancies between men and women can be attributed to lifestyle differences such as drinking, smoking, and other high-risk behavior, with men more likely than women to partake in these practices. But these differences only contribute a portion of the shorter life span and poorer health of men. In reality, men are less likely than women to visit a doctor, missing opportunities to pinpoint and change unhealthy habits and to diagnosis and treat diseases.

Significant numbers of male-related health problems such as prostate, colon, and testicular cancer could be detected and treated with men's greater awareness of their susceptibility to these health problems. When detected early, men who are diagnosed with these cancers have a high survival rate.

Awareness, combined with the appropriate use of tests such as exams and cholesterol screenings, can detect many health problems early and increase the survival rate of these diseases to nearly 100 percent.

National Men's Health Week not only benefits men, but also the important people in their lives. National Men's Health Week encourages men and their families to increase their awareness of the importance of a healthy lifestyle, regular exercise, and medical check-ups. Moreover, better long-term health among men can contribute to fewer medical expenses for their families, for taxpayers, and for employers.

I encourage my fellow Members to join me in supporting House Concurrent Resolution 142.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, at this time I don't believe we have any further speakers on this issue, so I will continue to reserve the balance of my time.

Mr. HARPER. Mr. Speaker, I urge all Members to support the passage of House Concurrent Resolution 142.

I yield back the balance of my time.

Mr. LYNCH. I thank the gentleman from Mississippi for his kind words and his support.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in strong support of H. Con. Res. 142, supporting National Men's Health Week. I would like to thank my colleague Representative ELIJAH CUMMINGS from Maryland for introducing this important piece of legislation, as well as its many co-sponsors.

I stand in support of this legislation because it highlights the importance of increasing attention to personal health. Men in the United States are disproportionately affected by health issues. These issues are particularly acute within minority populations. In the state of Georgia, these disparities are especially evident. African-American men have a life expectancy of 64 years while Caucasian men have a life expectancy of 73, both of which are dwarfed by the nearly 79 years of life expected from Caucasian women. Georgia has a tragic death rate of 79.2 for African-American men with prostate cancer compared to 28.8 among Caucasian men.

These issues impact not only men's personal wellbeing but radiate throughout our families, our businesses, and our society. Indeed, health has an impact on America's economic well-being. Recent statistics indicate that more than half of the elderly widows now living in poverty were not poor before the death of their husbands.

Many of the issues affecting men's health are treatable and manageable if caught early, but women are 100 percent more likely than men to visit a doctor for annual exams and preventive services. There is a Spanish proverb that says, "A man too busy to take care of his health is like a mechanic too busy to take care of his tools." Men throughout the United States owe it to their loved ones to take better care of their health. Increasing men's health will improve families' fullness and will help ensure healthy living at all levels: social, economic, and political. To quote President Obama, "children who grow up without a father are five-times more likely to live in poverty and commit crime; nine times more likely to drop out of schools and twenty times more likely to end up in prison . . . We need fathers to realize that responsibility does not end at conception. We need them to realize that what makes you a man is not the ability to have a child—it's the courage to raise one." Part of that responsibility is caring for your health. Eat healthier, perform self-exams, visit your doctor, and get screened. We owe it to ourselves and our families. I ask my colleagues to join me in supporting this call for increased awareness and self-responsibility for men's health.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 142.

The question was taken.

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

Mr. HARPER. Mr. Speaker, I object to the vote on the ground that a

quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

RECOGNIZING NATIONAL CARIBBEAN-AMERICAN HERITAGE MONTH

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 127) Recognizing the significance of National Caribbean-American Heritage Month.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 127

Whereas people of Caribbean heritage are found in every State of the Union;

Whereas emigration from the Caribbean region to the American Colonies began as early as 1619 with the arrival of indentured workers in Jamestown, Virginia;

Whereas during the 17th, 18th, and 19th centuries, a significant number of slaves from the Caribbean region were brought to the United States;

Whereas since 1820, millions of people have emigrated from the Caribbean region to the United States;

Whereas like the United States, the countries of the Caribbean faced obstacles of slavery and colonialism and struggled for independence;

Whereas also like the United States, the people of the Caribbean region have diverse racial, ethnic, cultural, and religious backgrounds;

Whereas the independence movements throughout the Caribbean during the 1960s and the consequential establishment of independent democratic countries in the Caribbean strengthened ties between the region and the United States;

Whereas Alexander Hamilton, a founding father of the United States and the first Secretary of the Treasury, was born in the Caribbean;

Whereas many influential Caribbean-Americans have contributed to the rich history of the United States, including Jean Baptiste Pointe du Sable, the pioneer settler of Chicago; Claude McKay, a poet of the Harlem Renaissance; James Weldon Johnson, the writer of the Black National Anthem; Celia Cruz, the world-renowned queen of Salsa music; and Shirley Chisholm, the first African-American Congresswoman and first African-American woman candidate for President;

Whereas the many influential Caribbean-Americans in the history of the United States also include Colin Powell, the first African-American Secretary of State; Sidney Poitier, the first African-American actor to receive the Academy Award for best actor in a leading role; Harry Belafonte, a musician, actor, and activist; Al Roker, a meteorologist and television personality; and Roberto Clemente, the first Latino inducted into the baseball hall of fame;

Whereas Caribbean-Americans have played an active role in the civil rights movement and other social and political movements in the United States;

Whereas Caribbean-Americans have contributed greatly to the fine arts, education, business, literature, journalism, sports, fashion, politics, government, the military, music, science, technology, and other fields in the United States;

Whereas Caribbean-Americans share their culture through festivals, carnivals, music, dance, film, and literature, which enrich the cultural landscape of the United States;

Whereas the countries of the Caribbean are important economic partners of the United States;

Whereas the countries of the Caribbean represent the United States' third border;

Whereas the people of the Caribbean region share the hopes and aspirations of the people of the United States for peace and prosperity throughout the Western Hemisphere and the rest of the world;

Whereas in June 2008, President George W. Bush issued a proclamation declaring June National Caribbean-American Heritage Month after the passage of H. Con. Res. 71 in the 109th Congress by both the Senate and the House of Representatives; and

Whereas June is an appropriate month to establish a Caribbean-American Heritage Month: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) supports the goals and ideals of Caribbean-American Heritage Month;

(2) encourages the people of the United States to observe Caribbean-American Heritage Month with appropriate ceremonies, celebrations, and activities; and

(3) affirms that—

(A) the contributions of Caribbean-Americans are a significant part of the history, progress, and heritage of the United States; and

(B) the ethnic and racial diversity of the United States enriches and strengthens the Nation.

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

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

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

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

There was no objection.

Mr. LYNCH. On behalf of the Committee on Oversight and Government Reform, I present House Concurrent Resolution 127 for consideration. This resolution expresses our support for the goals and ideals of National Caribbean-American Heritage Month.

Introduced by my colleague, Representative BARBARA LEE of California, on May 14, 2009, and reported out of the Oversight Committee by unanimous consent on June 18, 2009, House Concurrent Resolution 127 enjoys the support of over 50 Members of Congress.

Since June of 2005, Congress has taken time each year to recognize Americans of Caribbean descent for their significant contributions to American culture and history during National Caribbean Heritage Month.

Beginning as early as the year 1619, generations of Caribbean immigrants have come to America and significantly contributed their rich traditions and culture, ethnic, and religious diversity to our social fabric.

Regrettably, we must acknowledge that many Caribbean-Americans arrived against their own volition—as slaves and indentured servants, whose struggles for freedom continue to reverberate. Many others came to this country in search of a better life for themselves and their children; and today, over 5 million Americans proudly share Caribbean heritage.

Caribbean-Americans have offered lasting contributions to every sector of our society, from public service, science, and athletics to business, education, and entertainment.

Prominent Caribbean-Americans include such historical and cultural figures as Alexander Hamilton—who was born in the Caribbean region—former Secretary of State Colin Powell; Eric Holder, our current Attorney General; and Shirley Chisholm, the first African American Congresswoman and first African American candidate for President.

Other influential Caribbean-Americans include Harlem renaissance poet, Claude McKay; actor and civil rights activist Harry Belafonte; and Sidney Poitier, the first African American actor to receive an Academy Award for best performance in a leading role.

Mr. Speaker, these and countless other Caribbean-Americans have made invaluable contributions to our Nation, and it is fitting that we on honor them today. I urge my colleagues to join me in supporting House Concurrent Resolution 127.

I reserve the balance of my time.

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

I rise today in support of House Concurrent Resolution 127 recognizing the significance of National Caribbean-American Heritage Month. Every year since 2006, our Nation has recognized the contribution Caribbean-Americans have made to the United States during the month of June.

The Caribbean people have had a place in the history of the United States from its very beginning. The first Caribbean people who immigrated to the United States did so in 1619 as indentured workers who were brought to Jamestown, Virginia. During the centuries that followed, many people were brought to the United States from the Caribbean as slaves and, since 1820, millions more have emigrated, bringing with them their talents and high values, which have enriched our Nation and assisted in its formation.

Many notable people in the history of the United States have strong Caribbean ties. Those already mentioned are certainly very important to the history of our country. Alexander Hamilton, not only the first Secretary of the Treasury, but also one of the authors of the Federalist Papers, was born in the

Caribbean. Former Secretary of State Colin Powell, Sidney Poitier, and musician Harry Belafonte are all Caribbean-Americans, as you have heard.

Other Caribbean-Americans have contributed to every aspect of our Nation, from the sciences to the Armed Forces. For all of these contributions, we are grateful.

The United States and the nations of the Caribbean have had many traits that are indicative of our similarities with one another. The histories of the United States and the countries of the Caribbean have faced similar trials of slavery, colonialism, and the struggle for independence.

The people who comprise our separate nations are similar in that we are all different, coming from very diverse racial, ethnic, cultural, and religious backgrounds. In addition to celebrating the contribution Caribbean-Americans have made to the United States, we honor these historical similarities between our nations.

I ask my fellow Members of Congress to join me in recognizing the contributions of Caribbean-Americans to the history of the United States and the way in which their presence enriches and strengthens our country.

I support House Concurrent Resolution 127.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, at this time I would like to yield such time as she may consume to the lead sponsor of this measure, the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Let me thank the gentleman from Massachusetts for yielding and for your leadership and for supporting and managing this resolution today.

Mr. Speaker, I rise in support of H. Con. Res. 127, a resolution which I have authored for several years recognizing the significance of National Caribbean-American Heritage Month. This resolution acknowledges the important contributions of Caribbean-Americans for the many contributions they have made to our Nation's history and culture.

Let me begin by thanking Chairman TOWNS, Ranking Member ISSA, and the staff of the Oversight and Government Reform Committee on both sides for making this a bipartisan effort and for helping to bring this resolution to the floor today.

I would also like to recognize many of my colleagues on this side: Congresswoman DONNA CHRISTENSEN, Congresswoman YVETTE CLARKE, Congresswoman SHEILA JACKSON-LEE, Congresswoman WATERS, Congressman PAYNE, Chairman CHARLIE RANGEL, Chairman JOHN CONYERS, Congressman BURTON, and many, many Members of Congress for their tremendous leadership on issues relating to the Caribbean.

Congresswoman CHRISTENSEN, whom you will hear from in just a minute, from the Virgin Islands, has lead health care reform efforts to ensure that any health care reform bill must address strategies that deal with the disparities in communities of color. And for this, Congresswoman CHRISTENSEN, Dr. CHRISTENSEN, we are deeply grateful.

I'd like to also acknowledge Dr. Claire Nelson and the Institute of Caribbean Studies, and all of the other Caribbean-American organizations in Washington, D.C., and across the country, that have worked so hard to make Caribbean-American Heritage Month 2009 a great success.

As a longtime supporter of the Caribbean and a frequent visitor to the region, I am very proud to see us celebrate this important commemorative month for the fourth straight year.

Since Congress first passed H. Con. Res. 71 in February of 2006, the President has issued a proclamation recognizing Caribbean-American Heritage Month every year during the month of June. This year, President Obama issued a proclamation on June 2. Mr. Speaker, I will insert that proclamation into the RECORD.

NATIONAL CARIBBEAN-AMERICAN HERITAGE MONTH, 2009

By the President of the United States of America

A Proclamation: Caribbean Americans have made lasting contributions to our Nation's culture and history, and the month of June has been set aside to honor their cultural, linguistic, ethnic, and social diversity.

Generations of immigrants have preserved the traditions of their homelands, and these traditions have defined our Nation's identity. Caribbean Americans bring a unique and vibrant culture. This multilingual and multiethnic tradition has strengthened our social fabric and enriched the diversity of our Nation.

Millions of individuals in the United States have Caribbean roots. Unfortunately some Caribbean Americans were forced to our country as slaves; others arrived of their own volition. All have sought the promise of a brighter tomorrow for themselves and their children.

In their pursuit of success, Caribbean Americans exhibit the traits all Americans prize: determination, a devotion to community, and patriotism. They have made their mark in every facet of our society, from art to athletics and science to service. Caribbean Americans have also safeguarded our Nation in the United States Armed Forces.

This month we also recognize the critical relationship the United States maintains with Caribbean nations. In a world of increasing communication and connectivity, this friendship has become even more important. We are neighbors, partners, and friends; we share the same aspirations for our children; and we strive for the very same freedoms. Together, we can meet the common challenges we face.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2009 as National Caribbean-American Heritage Month. I urge all Americans to commemorate this month by learning more about the history and culture of Caribbean Americans.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of June, in the year of our Lord two thousand nine, and of the Independence of the United States of America the two hundred and thirty-third.

BARACK OBAMA.

People of Caribbean heritage reside in every part of our country. Since 1820, millions of people have immigrated from the Caribbean to the United States. Throughout U.S. history, we have been fortunate to benefit from countless individuals of Caribbean decent who have contributed to American Government, politics, business, arts, education, and culture, including one of my personal mentors, the Honorable Shirley Chisholm from Brooklyn, New York.

□ 1445

Shirley Chisholm was a woman of Bajan and Guyanese descent who never forgot her roots in the Caribbean. She was the first African American and the first woman to seriously run a Presidential campaign in 1972. She was also the first African American woman elected to the House of Representatives. So personally I have to honor her today because I have to say that my political involvement began as a volunteer during her historic Presidential campaign in 1972, and through her mentorship, she strengthened my interest in issues important to the African diaspora both here in the United States and abroad.

During Caribbean-American Heritage Month, we recognized the important contributions of people like Shirley Chisholm as well as Alexander Hamilton, Hazel Scott, Sidney Poitier, Wyclef Jean, Eric Holder, Colin Powell, Harry Belafonte, Celia Cruz and, yes, Congresswomen DONNA CHRISTENSEN, SHEILA JACKSON-LEE and YVETTE CLARKE and many other persons of Caribbean descent who have helped shape this country. Caribbean-American Heritage Month provides us an opportunity to strengthen our long-term partnerships with nations of the Caribbean community through greater dialogue and engagement, and must not stop with June. From disaster preparedness to trade and energy, education, and the campaign against HIV and AIDS, we share a number of mutual policy interests with our Caribbean neighbors. Last month we were able to address some of these important issues through the Institute of Caribbean Studies' Caribbean-American Legislative Forum, held annually on the Hill during Caribbean-American Heritage Month. At the forum, people from the academic community and the private sector, regional policymakers and members of the Caribbean diaspora were able to meet to better integrate policy interests between the United States and Caribbean countries.

Recent global events, from the sharp rise in food and energy prices to a series of devastating storms and the global economic downturn, have acutely affected people of the Caribbean, particularly our friends in Haiti. These ongoing regional and global crises highlight the need for continuing engagement and involvement with innovative policy solutions with our neighbors. I'm very pleased to see the Obama

administration's recent announcement of increased foreign assistance to Haiti and the President's participation in the Summit of the Americas, held in Trinidad. These are all signs of this administration's fresh and new engagement with the region. Caribbean-American Heritage Month also reminds us of the large and diverse constituencies of Caribbean-Americans in our Nation and provided us with an opportunity to send a message of good will to the Caribbean community both here and abroad. This month also provided us with an opportunity to share in the rich culture of our natives through showcases of Caribbean art, festivals, concerts and films. In my own district in Oakland, California, the Caribbean-American Heritage Association of Northern California celebrated the rich cultural heritage of the people of the Caribbean through a musical concert and family picnic. The association also hosted its Third Annual Caribbean-American Heritage Legacy Awards ceremony, honoring the contributions of Caribbean-Americans to our great country. Just as we should commemorate the achievements of the many diverse communities that make up this great country, the United States Government should continue to celebrate the rich history and diversity of Caribbean-Americans and work each and every day to ensure that the issues of concern to Caribbean-Americans and the nations of the Caribbean are included in our policy debates here in the Congress. I ask all of my colleagues to join me in supporting this measure to honor and salute the Caribbean-American community and to acknowledge their rich and varied contributions to the history, culture and progress of the United States.

Mr. HARPER. Mr. Speaker, I have no other speakers at this moment. I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, at this time I would like to yield 3 minutes to a cosponsor of this measure, the gentlelady from the U.S. Virgin Islands, DONNA CHRISTENSEN.

Mrs. CHRISTENSEN. Thank you for yielding, Congressman LYNCH.

As a person of Caribbean-American descent, I proudly rise in support of House Concurrent Resolution 127 and applaud the chairwoman of the Congressional Black Caucus, Congresswoman BARBARA LEE, for leading this effort to recognize our joint and very special heritage. The ties between the United States and its close neighbors to the south are ones that go back to the founding of our early colonies, the fight for independence and the founding of this country. George Washington, our first President, visited family in Barbados. As you've heard many times this afternoon, Alexander Hamilton, his aide-de-camp, a Revolutionary War hero, chief author of the Federalist Papers and first Secretary of the Treasury, was born in Nevis and raised in St. Croix in my own district. The service and contributions of people from the Caribbean to every facet of life in this country are countless and invaluable, and there is much to celebrate. In a special order on June 15, members of the Congressional Black Caucus came to the floor to speak about many of those individuals, and you've heard some this afternoon. But the true test of the homage we pay to the special heritage that we share is what happens going forward, and the step taken with President Obama's attendance and leadership at the Summit of the Americas in Trinidad earlier this year bodes well for that future.

From the inclusion of the Caribbean countries in PEPFAR to the extension of security initiatives, the forgiveness of Haiti's debt, Congresswoman LEE's proposal for the Shirley Chisholm Educational Exchange program for students in the United States and the Caribbean, and many other initiatives, the Congressional Black Caucus has actively fostered the relationship to the benefit of both the region and our country. It is fitting that this body recognizes the special heritage we, the people of the Caribbean and the people of the United States, share and the contributions of each to the other. Again, I thank Chairwoman LEE for introducing this resolution and urge its passage.

Mr. HARPER. Mr. Speaker, I have no other speakers at the moment. I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, at this time I would like to yield 3 minutes to the gentleman from Georgia, Mr. HANK JOHNSON, also a cosponsor of this resolution.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in support of Caribbean-American Heritage Month. As has been pointed out, there have been tremendous accomplishments made by our friends from the Caribbean, and it's only just that we recognize them today for the achievements that they have procured not just for folks of Caribbean descent but also for all Americans. There have been great contributions, and there will continue to be great contributions.

Mr. Speaker, I believe that in this Congress we have a number of folks from the Caribbean, including my good friend and colleague DONNA CHRISTENSEN, whose quest has been on health care for the time that she has been in office. And she is getting ready to have her dreams realized with a good start that we're going to do on health care. Then, not to leave anyone out, but I do want to recognize my colleague and class member YVETTE CLARKE, who, as a staunch advocate for small businesses, is poised to do great things on behalf of small businesses, and I admire her for what she has done already and what she will do in the future.

Mr. HARPER. Mr. Speaker, I urge all Members to support the passage of House Concurrent Resolution 127, and I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, in conclusion, I'd just ask all of our Members to support Ms. BARBARA LEE, the lead sponsor of this legislation, in support of Caribbean-American Heritage Month, and I ask all of our Members to join her in that effort.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in strong support of H. Con. Res. 127, recognizing the significance of National Caribbean-American Heritage Month. I would like to thank my colleague Representative BARBARA LEE from California for introducing this important piece of legislation, as well as its many other co-sponsors.

I stand in support of this legislation because it recognizes the profound role that Caribbean-Americans have played in the development of this great country. Social scientists call the United States of America "the Melting Pot" because of the vast number of cultures, races, ethnicities, skills, talents, and ideas that come together to make this experiment in democracy work. Caribbean-Americans are integral to that process.

Slave laborers brought to the United States from the Caribbean laid the foundation for this country in its earliest days. Today, millions of Carribean-Americans have immigrated to the United States on their own accord, bringing with them their vibrant culture and firm ideals. From beginning the Department of the Treasury and breaking color barriers to changing the sound of Salsa and the Harlem Renaissance, our nation's history is steeply ingrained with the contributions of Caribbean-Americans. Caribbean nations are important neighbors and partners within the global community, playing a vital role in the pursuit of peace and prosperity throughout the world. Caribbean-American poet Claude McKay once said, "Nations, like plants and human beings, grow. And if the development is thwarted they are dwarfed and overshadowed." The United States owes a great deal of its development to the Caribbean, its people, and its culture. I urge my colleagues to join me in supporting this legislation recognizing the significance of National Caribbean-American Heritage Month.

Mr. RANGEL. Mr. Speaker, I rise today to bring attention to Caribbean Heritage Month. In New York Carib News' June 16, 2009 edition, the article highlights the important contributions made by Caribbean Americans to both the Untied States and their respective home countries. The article refers to President Obama as having recognized the importance of the Caribbean American community and the enormous contributions it has made to the United States over past centuries. The Caribbean community continues the tradition of offering a vibrant culture, as have so many other cultures that have helped to define our American heritage. It is important to note the contributions made by English, French, Spanish and Dutch speaking nations of the Caribbean, as each of these brings its own cultural aspect to the larger American community.

It is imperative that we note not only the contributions Caribbean Americans have made to the United States, but also the contributions they have made to their home countries. Each year, Caribbean Americans remit billions of dollars per year to CARICOM nations, and maintain a multi-billion dollar buying power, some of which is used to advance the growth of their home countries. The Caribbean Heritage Month celebration that will kick off in Brooklyn is defined by music, theatre, panel discussions, a cultural fair, and other activities

that actively illustrate the culture of the Caribbean.

In the years to come, it is important that the United States maintain a strong relationship with the Caribbean nations. The value that these nations place on growth and economic development, as well as personal advancement are values reflected in American culture and thus show the commonalities that our country shares with these nations. As we continue to cultivate these relationships, let us not forget the wealth of interchangeable benefit such communication and interaction with one another can yield. Caribbean Heritage Month plays an integral role in shaping America's understanding that such nations play in our progress and growth. May this Caribbean Heritage Month designation continue to draw from the unique culture of Caribbean Americans, and be used as a source of influence for continued Caribbean-American relations.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 127.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

PROVIDING FOR DESIGN OF SLAVE LABOR MARKER IN CAPITOL VISITOR CENTER

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 135) directing the Architect of the Capitol to place a marker in Emancipation Hall in the Capitol Visitor Center which acknowledges the role that slave labor played in the construction of the United States Capitol, and for other purposes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 135

Whereas enslaved African-Americans provided labor essential to the construction of the United States Capitol;

Whereas the report of the Architect of the Capitol entitled ''History of Slave Laborers in the Construction of the United States Capitol'' documents the role of slave labor in the construction of the Capitol;

Whereas enslaved African-Americans performed the backbreaking work of quarrying the stone which comprised many of the floors, walls, and columns of the Capitol;

Whereas enslaved African-Americans also participated in other facets of construction of the Capitol, including carpentry, masonry, carting, rafting, roofing, plastering, glazing, painting, and sawing;

Whereas the marble columns in the Old Senate Chamber and the sandstone walls of the East Front corridor remain as the lasting legacies of the enslaved African-Americans who worked the quarries;

Whereas slave-quarried stones from the remnants of the original Capitol walls can be found in Rock Creek Park in the District of Columbia;

Whereas the Statue of Freedom now atop the Capitol dome could not have been cast without the pivotal intervention of Philip Reid, an enslaved African-American foundry worker who deciphered the puzzle of how to separate the 5-piece plaster model for casting when all others failed;

Whereas the great hall of the Capitol Visitor Center was named Emancipation Hall to help acknowledge the work of the slave laborers who built the Capitol;

Whereas no narrative on the construction of the Capitol that does not include the contribution of enslaved African-Americans can fully and accurately reflect its history;

Whereas recognition of the contributions of enslaved African-Americans brings to all Americans an understanding of the continuing evolution of our representative democracy; and

Whereas a marker dedicated to the enslaved African-Americans who helped to build the Capitol will reflect the charge of the Capitol Visitor Center to teach visitors about Congress and its development: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. PLACEMENT OF MARKER IN CAPITOL VISITOR CENTER TO ACKNOWLEDGE ROLE OF SLAVE LABOR IN CONSTRUCTION OF CAPITOL.

(a) PROCUREMENT AND PLACEMENT OF MARKER.—The Architect of the Capitol, subject to the approval of the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, shall design, procure, and place in a prominent location in Emancipation Hall in the Capitol Visitor Center a marker which acknowledges the role that slave labor played in the construction of the United States Capitol.

(b) CRITERIA FOR DESIGN OF MARKER.—In developing the design for the marker required under subsection (a), the Architect of the Capitol—

(1) shall take into consideration the recommendations developed by the Slave Labor Task Force Working Group;

(2) shall, to the greatest extent practicable, ensure that the marker includes stone which was quarried by slaves in the construction of the Capitol; and

(3) shall ensure that the marker includes a plaque or inscription which describes the purpose of the marker.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JOHNSON) and the gentleman from Mississippi (Mr. HARPER) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JOHNSON of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the resolution under consideration.

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

There was no objection.

Mr. JOHNSON of Georgia. I yield myself as much time as I may consume.

Mr. Speaker, in May 2005 the congressional leadership appointed a task force to study the contributions of enslaved African Americans to the construction of this great edifice, our United States Capitol. The task force was also asked to recommend appropriate steps to recognize their contribution. In support of that effort, the architectural historian to the Architect of the Capitol produced a report on the contributions of slave laborers to the Capitol's construction. During the 110th Congress the Committee on House Administration conducted a hearing to receive recommendations of the task force, chaired by the gentleman from Georgia, my colleague and mentor, Congressman JOHN LEWIS. The task force devoted considerable time and effort to reviewing the Architect's report on the use of slaves during the Capitol's construction and developing recommendations. Mr. Speaker, Americans now living cannot remove the stain of our Nation's past, but we can admit our forebears' sin. We must acknowledge the sacrifices of those Americans who, without choice, worked to build a government that kept them in bondage. The task force's report recommended a number of steps to do what we can.

□ 1500

Several of their recommendations, including the naming of Emancipation Hall in the new Capitol Visitor Center, have already been completed.

The placement of a marker in Emancipation Hall requires further legislative action as embodied in this resolution. This resolution will provide for the installation of a marker by the Architect of the Capitol, under the supervision of the House Administration Committee and the Senate Committee on Rules and Administration.

As the resolution contemplates, the committees will make every effort to use some of the original, slave-quarried stones. These stones were removed from the Capitol during previous renovations and are held in storage.

I urge all Members to support the resolution, which proposes a fitting commemoration of slave laborers' contribution to this temple of democracy.

I reserve the balance of my time.

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

I rise today in support of House Concurrent Resolution 135, which will enhance the educational offerings of the Capitol Visitor Center by highlighting the contributions of enslaved African Americans to the construction of the U.S. Capitol Building.

Far too often the historical record detailing the rise of our Capitol Building fails to appropriately recognize the vital contributions by slave laborers. As a result of the Slave Labor Task Force, we are better equipped to fill

that void and will take steps toward doing so here today.

The Capitol Visitor Center quickly has become a major attraction for those visiting our Federal city, seeking greater understanding of the history which led to our present. It is therefore appropriate that Emancipation Hall, in the CVC, house a formal recognition of these essential laborers, further enriching the educational experience of visitors young and old.

I urge my colleagues' support for the successful passage of this resolution.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I would now yield 5 minutes to the Honorable Congressman from Georgia and sponsor of this resolution, JOHN LEWIS.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my colleague and friend from Georgia for yielding the time.

Mr. Speaker, I rise today to tell the full story of our Nation's Capitol Building. We must recognize all of the hands that helped to construct this temple of freedom. We must continue to teach the full history of this country, and to do that, we must recognize the role that African American slaves played in the construction of our Nation's Capitol.

I would like to thank Chairman BRADY and Ranking Member LUNGREN for all their efforts to bring this bill to the floor, and also the staff of the House Administration Committee, and Jesse Uman, of my own staff, for their work and perseverance to pass this bill.

Additionally, Mr. Speaker, I'm going to thank and recognize Senator BLANCHE LINCOLN, who has championed the work of the Slave Labor Task Force in the Senate.

Mr. Speaker, for too long, the use of slave labor in the construction of the United States Capitol has gone untold. We look back today, not to open old wounds, but to ensure that we tell the story, the whole story, the complete story of those slaves, so their toils are never forgotten.

Slavery is part of our Nation's history of which we are not proud. However, we should not run or hide from it.

The history of the Capitol, like the history of our Nation, should be complete. As thousands of visitors walk through our Nation's Capitol, they leave without knowing the full history of its construction. Today, there is nothing, not one thing, not one note, that tells the story of the African American slaves who helped build this magnificent building: no drawings, no murals, no statues, nothing but nothing.

Mr. Speaker, with this resolution, this untold story will now be told. Thanks to the work of the Slave Labor Task Force, we will now honor those slaves who built our temple of freedom. We need something that visitors can see, that visitors can feel and which communicates the back-breaking labor that slaves completed to help construct our Capitol.

Passage of this resolution will create a historic marker in the Capitol Visitor Center, made of stones quarried by the hands of slave laborers to stand testament to their sacrifices. This physical and permanent marker will pay tribute to the blood, sweat and toils of the African American slaves who helped build this magnificent building and ensure that their story is told and never forgotten.

I urge all of my colleagues to support the passage of this resolution.

Mr. HARPER. Mr. Speaker, I have no other Members who wish to speak at the moment, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I would now like to yield 3 minutes to my friend, the gentlelady from the Virgin Islands, Dr. DONNA CHRISTENSEN.

I am proud to report, Mr. Speaker, that she has distinguished herself as one of the foremost experts on the issue of health care in this Congress where she has served for the past 14 years. And so it is my great pleasure to introduce my friend and member of the powerful Energy and Commerce Committee, which has taken primary jurisdiction of the issue of health care reform.

Mrs. CHRISTENSEN. I thank my colleague for yielding and for those kind words.

Mr. Speaker, I rise in support of House Concurrent Resolution 135 which would have the work of enslaved African Americans in the building of our historic Capitol Building memorialized for this generation and for posterity. And I applaud, thank and honor the lead sponsor, the mentor of all of us, Congressman JOHN LEWIS, for this resolution and for his unwavering commitment to justice.

The Architect of the Capitol's 2005 report entitled ''History of Slave Laborers in Construction of the United States Capitol'' clearly outlines the contributions of ''the slaves who quarried the stone, cut the timber, and formed and fired the bricks that became our Nation's Temple of Freedom.''

I am sure that there are many who will wonder, Why is this important? Why is it necessary to have a marker placed in the Capitol Visitor Center that acknowledges the work of the unfree in the construction of the Capitol?

In response, let me say that it is important because it is part of the American story. It is an integral part of the fabric of our history which runs from its founding on the great ideals of freedom, justice and equality to today, where we have witnessed the toils, tears and prayers of hundreds of years answered in the contributions of the descendants of those enslaved Africans in every endeavor of American life today. And that story, the American story, is an enduring one of redemption. It is a story that points to the unique quality of our Nation and our continuous striving to achieve those ideals of freedom, equality and justice.

Mr. Speaker, while some may see irony in the fact that it was hands of the then un-free that forged the structure that has become the temple of freedom for the entire world, we see it as the hand of God pointing, as always, to the lives of the ''least of these'' as precious in His sight.

There should be a marker in the Capitol Visitor Center because it is an appropriate way to mark how far this country has come and to show countries around the world that the impossible is indeed possible. The marker needs to be placed to finally give voice to those whose silent witness to the potential greatness of our country was forged in their blood, sweat and tears.

I urge my colleagues to vote ''aye'' for this resolution.

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

Mr. JOHNSON of Georgia. Mr. Speaker, again, I would want to commend the conscience of the Congress, the Honorable Congressman from the great State of Georgia and the great city of Atlanta. I would like to commend him for taking on this measure and proceeding with it to conclusion. And I want to congratulate you, sir, for this and for all of the things you will continue to do to make sure that everyone's contribution throughout the history of this great country is recognized.

Mr. CONYERS. Mr. Speaker, more than 200 years ago, on September 18, 1793, our Nation broke ground for what would become our home to democracy—the United States Capitol.

At this time in our Nation's history, however, democracy and freedom were not enjoyed by all Americans.

Ironically, it was those who were disenfranchised—enslaved African Americans—who helped construct our symbol of democracy, the Capitol.

I commend my colleague, the gentleman from Georgia, JOHN LEWIS, for introducing this bipartisan resolution acknowledging this fact.

Specifically, the resolution "directs the Architect of the Capitol to place a marker in Emancipation Hall in the Capitol Visitor Center which acknowledges the role that slave labor played in the construction of the United States Capitol."

There are at least three reasons why this resolution is necessary.

First, the history of the United States Capitol would not be accurate without recognizing that enslaved African Americans played an integral role in building the Capitol. For example, the Capitol's architects negotiated with slave owners with respect to hiring out their slaves. Although the Architect of the Capitol states that "[n]o one will ever know how many slaves helped to build the United States Capitol Building," it is estimated that at least several hundred were involved in the construction.

These slaves skillfully toiled as carpenters, sawyers, blacksmiths, brickmakers, and bricklayers. They were responsible for quarrying stone and then hauling it to the work site.

Notably, an enslaved African American—Philip Reid—helped cast the Statue of Freedom, which was placed on top of the Capitol Dome during the Civil War on December 2, 1863.

Second, given the significant contributions of enslaved African Americans in the building of the U.S. Capitol, a marker in Emancipation Hall is an appropriate tribute to such efforts.

The marker was recommended by the Slave Labor Task Force Working Group, which also recommended designating the great hall of the Capitol Visitor Center as Emancipation Hall.

This marker, which is to include stone quarried by these slaves, will ensure that this part of the story of the Capitol's construction is told.

When visitors stand in Emancipation Hall and view the commemorative marker, they will be reminded of the significant role that slaves played in the construction of the U.S. Capitol, thereby ensuring that the legacy of these slaves will live on.

Finally, by acknowledging that enslaved African Americans played a major role in building the Nation's Capitol, we recommit ourselves to the pursuit of freedom and democracy for all Americans.

We recognize that, even today, there are some who have yet to realize all of the rights and privileges that are afforded through our Constitution and laws. Prejudice, discrimination, and inequities remain a reality.

However, by paying tribute to those enslaved African Americans who built our Nation's Capitol, we understand that freedom and democracy are constantly evolving.

We recognize that we can commit ourselves to the advancement of these principles, knowing that those who toiled and labored in the very building that we stand in today, could not enjoy freedom and democracy for themselves.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in strong support of H. Con. Res. 135, the resolution directing the Architect of the Capitol to place a marker in Emancipation Hall in the Capitol Visitor Center which acknowledges the role that slave labor played in the construction of the United States Capitol, and for other purposes. I would like to thank my colleague and fellow Georgian, Representative JOHN LEWIS for introducing this important piece of legislation, as well as the co-sponsors.

I stand in support of this resolution because it recognizes the important contributions that African-American slaves have made to the establishment of this country, particularly the Capitol Building, which is the foundation of our country's government. It is in this very building where the biggest decisions of our country are made. Therefore, we can all imagine how important this structure really is to the wellbeing of our nation.

It has almost been 150 years since the Thirteenth Amendment of the U.S. Constitution was ratified, which officially abolished slavery was passed within these same walls. It is in due time that slaves be recognized for the back breaking labor that they endured while building this great building that we now stand in. If it was not for the crucial intervention of Philip Reid, an African-American slave foundry worker, the Statue of Freedom that sits on top of the Capitol Dome may not have existed. Reid figured out how to separate the 5-piece plaster model for casting when all others workers failed to figure out how this could be done.

The true purpose of this resolution is to draw recognition to the past, so that we can move on to a better future of race relations in America. There is no better time than now, than on the coat tails of one of the most historic presidential elections in United States history. By no means is this resolution erasing or justifying slavery. Instead it shows America and the world the positive progression that our nation is making in its journey to ensure that all people be treated equally. I urge my colleagues to support this resolution.

Mr. HASTINGS of Florida. Mr. Speaker, as a co-sponsor of H. Con. Res. 135, I rise in strong support of this resolution directing the Architect of the Capitol to place a marker in Emancipation Hall in the Capitol Visitor Center which acknowledges the role that slave labor played in the construction of the United States Capitol.

African Americans throughout the world continue to make remarkable contributions to their communities every single day. We must not disregard the hands that worked and the feet that toiled to build our Nation's Capitol. We must honor the contributions of the slaves who helped build this magnificent structure.

Mr. Speaker, when we look to the hands that shape and built this city, particularly this Capitol, we should no longer hang our heads in shame of slavery, but instead celebrate the people who are so often forgotten. We should appreciate and acknowledge the thousands of unnamed men and women who built this structure representing democracy, liberty, and freedom. Just last month, my colleagues in the Senate approved a resolution that apologized for the enslavement and racial segregation of African Americans. As the legislative branch, we have officially acknowledged the institution that barred hundreds of thousands from freedom, and with this resolution, we can begin to celebrate those slaves that physically helped to create this country.

The Capitol Visitor Center sees almost 3 million visitors annually. As they walk the halls and admire the architecture and statues, marveling at the rich history and stories that accompany them throughout the building, it is our responsibility to ensure that all slaves who helped build the Capitol have their stories told. In the Capitol Visitor Center, Emancipation Hall was named to help acknowledge the work of the slaves who toiled over the work of the Capitol and we must ensure that their stories are told for generations to come.

Mr. Speaker, I express my unwavering support for this resolution and urge my colleagues to do the same.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of House Concurrent Resolution 135, recognizing the contributions of enslaved African Americans in building the United States Capitol.

This resolution will commission the Architect of the Capitol to create and place a historical marker in the Capitol Visitor Center made from the original government owned sandstone rocks that were quarried by slave labor, and removed from the Capitol building during a previous renovation.

Slavery played an important role in the foundation of this country, and slave labor was used extensively in the creation of many of the buildings that are home to our government. While we cannot rectify the sins of the past, nor thank slave laborers for their sacrifice, the contributions of these men and women should not go unnoticed.

It is important this plaque be prominently displayed for the thousands of visitors that come into the CVC. In order for these visitors to know the complete history of our Nation's Capitol, they must be aware of the contributions of these laborers.

I would like to thank Representative JOHN LEWIS for introducing this resolution and acknowledging this frequently overlooked part of our Capitol's story. The contributions made by these workers are a part of our history and our legacy, and this recognition will help future generations better understand the sacrifices of those who came before them.

Mr. JOHNSON 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. JOHNSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 135.

The question was taken.

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

Mr. JOHNSON of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PROVIDING FOR ENGRAVEMENTS IN CAPITOL VISITOR CENTER

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 131) directing the Architect of the Capitol to engrave the Pledge of Allegiance to the Flag and the National Motto of ''In God We Trust'' in the Capitol Visitor Center.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 131

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. ENGRAVING OF PLEDGE OF ALLEGIANCE TO THE FLAG AND NATIONAL MOTTO IN CAPITOL VISITOR CENTER.

(a) ENGRAVING REQUIRED.—The Architect of the Capitol shall engrave the Pledge of Allegiance to the Flag and the National Motto of ''In God we trust'' in the Capitol Visitor Center, in accordance with the engraving plan described in subsection (b).

(b) ENGRAVING PLAN.—The engraving plan described in this subsection is a plan setting forth the design and location of the engraving required under subsection (a) which is prepared by the Architect of the Capitol and approved by the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Mississippi (Mr. HARPER) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in

which to revise and extend their remarks and include extraneous matter on the resolution under consideration.

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

There was no objection.

Mrs. CHRISTENSEN. I yield myself such time as I might consume.

This resolution, introduced by the gentleman from California, Mr. DANIEL LUNGREN, requires the Architect of the Capitol to engrave the Pledge of Allegiance and the National Motto ''In God We Trust'' in the Capitol Visitor Center.

The details of the engraving, including their locations, would be approved in advance by the House Administration Committee and the Senate Rules and Administration Committee. Various Members have expressed support for this proposal which the committee approved by voice vote. The cost of these engravings has been estimated by the Architect as less than $100,000.

I reserve the balance of my time.

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

I am honored to rise today in support of House Concurrent Resolution 131, and I certainly greatly appreciate the leadership of Congressman DAN LUNGREN on this matter, who is delayed by travel and unable to be here at this time.

□ 1515

This resolution would direct the Architect of the Capitol to engrave our national motto ''In God We Trust'' and the Pledge of Allegiance in the Capitol Visitor Center. The installation of these two references will be a reminder of the importance our Founders placed on the guidance of Providence in the birth and development and future of our Nation.

The Declaration of Independence, our Nation's first national document, spoke to inalienable rights given by our Creator. Those men acknowledged that in signing that document, one that would be seen as high treason by the King of England, they were placing themselves under the protection of ''Divine Providence.''

When Congress adopted our Great Seal in 1782, included in its design were numerous allusions to biblical references, and the seal was marked by the words ''Annuit Coeptis,'' which translated means ''Providence has favored our undertakings.''

As the Founders were drafting the Constitution, numerous sources point to their collective reliance on God for direction and wisdom. In 1787, when the Constitution was framed at the Convention in Philadelphia, Benjamin Franklin reminded the delegates, ''To that kind Providence, we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity.''

During the War of 1812, when Francis Scott Key penned the Star Spangled Banner, he included in the final stanza: Praise the Power that hath made and preserv'd us a nation. Then conquer we must, when our cause it is just, and this be our motto: ''In God is our trust.''

These glimpses into our history show but a few examples of the national consciousness that served as prelude to the establishment of our national motto.

The establishment of ''In God We Trust'' as the Nation's motto sprung out of a Civil War letter. The letter from Reverend M.R. Watkinson of Pennsylvania urged Treasury Secretary Chase to install upon our currency some indication for future generations of the Nation's religious consciousness. Reverend Watkinson was concerned that the United States might be shattered beyond recognition by the Civil War.

Secretary Chase agreed and instructed the Director of the U.S. Mint that, ''No nation can be strong except in the strength of God, or safe except in His defense. The trust of our people in God should be declared on our national coins.''

The Presidency of Dwight Eisenhower saw the codification of both our national motto and the Pledge of Allegiance as we know it. On Flag Day, 1954, President Eisenhower signed the Federal law which added ''Under God'' to the Pledge.

Two years later, President Eisenhower signed into law the bill officially recognizing ''In God We Trust'' as our national motto. The motto has since been installed on both our paper currency and the Speaker's rostrum in the House.

By incorporating our national motto and the Pledge of Allegiance as permanent fixtures in the CVC, we will provide further testimony to our Nation's rich history and the degree to which these two statements reflect the philosophical foundation of these United States.

At this time, I would like to enter into the RECORD those of my colleagues who, in addition to the 160 cosponsors of House Concurrent Resolution 131, wished to be added but were unable due to time constraints:

The Honorable ROSCOE BARTLETT of Maryland;

The Honorable ROY BLUNT of Missouri;

The Honorable BILL CASSIDY of Louisiana;

The Honorable ANDER CRENSHAW of Florida;

The Honorable DAVID DREIER of California;

The Honorable ELTON GALLEGLY of California;

The Honorable BRETT GUTHRIE of Kentucky;

The Honorable DARREL ISSA of California;

The Honorable LYNN JENKINS of Kansas;

The Honorable TIM JOHNSON of Illinois;

The Honorable BLAINE LUETKEMEYER of Missouri;

The Honorable JERRY MORAN of Kansas;

The Honorable BILL SHUSTER of Pennsylvania;

The Honorable PAT TIBERI of Ohio.

I am proud to stand in support of this resolution and urge my colleagues' support.

I reserve the balance of my time.

Mrs. CHRISTENSEN. I continue to reserve the balance of my time.

Mr. HARPER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Speaker, I appreciate the gentleman yielding.

This legislation basically directs the Architect of the Capitol to quit ignoring history, just like the last piece of legislation where it is not mentioned anywhere in Emancipation Hall or the Visitor Center that this Capitol was built in due part by slave labor. Neither does that expensive Visitor Center mention any religious history that this country has.

I don't know if the Architect of the Capitol doesn't like the Pledge or approve of the national motto ''In God We Trust''; otherwise, both of those would already be in this expensive Visitor Center. Both mention God, and it appears that the Visitor Center, the way that it is conducted and constructed, wishes to disown and deny our religious heritage.

You go to the Visitor Center and you are led to believe, Mr. Speaker, that the national motto is not ''In God We Trust'' but it is ''E Pluribus Unum,'' because the national motto is never mentioned in the propaganda video that all people see when they come into the Visitor Center. Well, the national motto is not ''E Pluribus Unum.'' It is ''In God We Trust,'' and that is the national motto and it should remain as such.

Mr. Speaker, our religious history is a part of American history. When the Founders of this great country got together in the Continental Congress, before they decided to draft this new concept of freedom and liberty, Benjamin Franklin made the comment that if the good Lord is concerned about the birds that fall from the air, certainly he would be concerned about the birth of a new nation; and with that, the Members of the Continental Congress knelt down and they prayed. And, Mr. Speaker, we have continued that tradition every day since the Continental Congress.

We start every day the same way. When the House is called to order, the first order of business is a prayer. The second order of business is the Pledge of Allegiance to the flag, and it is important that we continue those traditions, but it is also important that people who come to the Capitol understand that is part of our routine.

Mr. Speaker, ''unless the Lord watches over this House, the builders build in vain. Unless the Lord watches over the city, those that watch watch in vain.''

Above the flag behind you, Mr. Speaker, is the phrase ''In God We

Trust.'' It is not to the side. It is not below it. It is above it, symbolic of what we do each day, that we pray and then we have the Pledge of Allegiance. So I strongly support this legislation to make sure that the Architect of the Capitol does not deny our religious history. Put it in its proper perspective, because religion is a part of our history, whether the Architect of the Capitol likes it or not.

And that's just the way it is.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today in strong support of H. Con. Res. 131, a resolution urging the Architect of the Capitol to engrave the Pledge of Allegiance to the Flag and the National Motto of ''In God We Trust'' in the Capitol Visitor Center.

The Pledge of Allegiance is an excellent example of national solidarity for all Americans and the foremost demonstration of America as ''one nation, under God, with liberty and justice for all.'' These words illustrate an eternal commitment to a nation unified by a common history, identity, and Constitution. The Pledge further represents that if God gives you a right, then no man should have the power to take it away. This is the premise of our nation, our rights, and our system of law, and it must be upheld in an effort to never lose sight of the fact that we are bound together as one nation—common in purpose—endeavoring to provide an open and free democracy for all of mankind.

''In God We Trust'' was codified as our national motto in 1956 in recognition of the Judeo-Christian values upon which our nation is founded. Faith has always been a very important part of American history and culture, and I believe that it is imperative to uphold this cornerstone of our heritage to preserve the rights of all Americans to worship freely and openly. I am proud that my home state of Georgia has recognized ''God'' in its own Constitution and seeks to maintain a reliance on faith in God as one of its founding principles.

Mr. Speaker, I want to make clear that the Pledge of Allegiance and our national motto are two public illustrations of the values to which we hold firmly in America. These two principles are demonstrated in this very chamber by our opening of each legislative day with prayer and by reciting the Pledge of Allegiance to the Flag. One need look no further than behind the chair of the Speaker of this great body to see the inscription of ''In God We Trust.'' These two testaments of our founding must remain the stronghold of American values and continue to be espoused in every public meeting.

Therefore, it is with great pride and honor that I stand here today to advocate for the engraving of the Pledge of Allegiance and our national motto in the newly constructed Capitol Visitor Center. Displaying these two documents prominently in an open arena for all tourists and citizens is just one more reminder of the founding and enduring principles of our nation, of which we must be reminded daily. As lawmakers, we must never cease to instill the doctrine of democracy and freedom of religion for the entire world, and by displaying these words in our nation's capitol we are only reaffirming our dedication to this endeavor. I urge all of colleagues to support this resolution and to hold steadfast to the values upon which our great nation was founded.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 131.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

U.S. PATENT AND TRADEMARK OFFICE FUNDING

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3114) to authorize the Director of the United States Patent and Trademark Office to use funds made available under the Trademark Act of 1946 for patent operations in order to avoid furloughs and reductions-in-force, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3114

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

SECTION 1. AUTHORITY OF PTO DIRECTOR TO USE TRADEMARK FUNDS.

(a) AUTHORITY.—

(1) IN GENERAL.—The Director of the United States Patent and Trademark Office—

(A) may use funds made available for fiscal year 2009, pursuant to section 31 of the Trademark Act of 1946 (15 U.S.C. 1113), under the heading ''Department of Commerce—United States Patent and Trademark Office—Salaries and Expenses'' in title I of division B of the Omnibus Appropriations Act, 2009 (Public Law 111-8), up to $70,000,000, to support the processing of patents and other activities, services, and materials relating to patents, notwithstanding section 42(c) of title 35, United States Code; and

(B) notwithstanding any other provision of law, shall, upon the exercise of the authority under subparagraph (A), establish a surcharge, in amounts up to $70,000,000, on patent fees in effect under title 35, United States Code, to repay any funds drawn down pursuant to subparagraph (A),

if the Director certifies in writing to the Congress that the use of the funds described in subparagraph (A) is reasonably necessary to avoid furloughs or a reduction-in-force, or both, in the United States Patent and Trademark Office, and does not create a substantial risk of a furlough or reduction-in-force of personnel working in the Trademark Operation of the United States Patent and Trademark Office.

(2) SURCHARGES DEPOSITED IN TREASURY.—All surcharges paid under paragraph (1)(B) shall be deposited in the Treasury as an offsetting receipt that shall not be available for obligation or expenditure.

(b) LIMITATIONS ON AUTHORITY.—The authority under subsection (a)(1)(A) shall terminate on June 30, 2010. The surcharge established under subsection (a)(1)(B) shall take effect no later than September 30, 2011, and all funds drawn down pursuant to subsection (a)(1)(A) shall be repaid pursuant to subsection (a)(1)(B) no later than September 30, 2014.

(c) DEFINITIONS.—In this section:

(1) DIRECTOR.—The terms ''Director of the United States Patent and Trademark Office'' and ''Director'' mean the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

(2) TRADEMARK ACT OF 1946.—The term ''Trademark Act of 1946'' means the Act entitled ''An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes'', approved July 5, 1946 (15 U.S.C. 1051 et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JOHNSON) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JOHNSON of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, this bill will help the Patent and Trademark Office retain educated and trained employees who face the possibility of furlough and reduction in force due to the current economic downturn.

It is with great urgency that I bring this bill to the floor today. We have recently been informed by the Department of Commerce and the Patent and Trademark Office that the current downtrend in patent fee revenues could lead to employee furlough.

The USPTO is a user-fee funded organization, and the downturn in the economy has led to a steep drop in revenues. USPTO management has already shaved over $120 million from its current budget through various cost savings; however, June's receipts show that those cuts may not be sufficient. A budget shortfall is a very real possibility, which could necessitate furloughs and, if severe enough, a reduction in force.

Now is not the time to impede the essential economic stimulating activity at the Patent Office. Now more than ever, we need to foster innovation to help the U.S. economy rebound.

This century has seen an explosion in the number of patent applications filed, and even though the PTO has hired over 1,000 examiners each year

for the past several years, this explosion has led to a current inventory of about 1.2 million pending applications. That is 1.2 million potential patents that could provide the foundation for new businesses and new jobs.

Because of this backlog, inventors are waiting an average of 32 months to get their patents approved, and in some areas, such as communications and computer-related technologies, the wait is much longer. This backlog means a delay in the creation of new products or startup companies that would generate new jobs and research and development investment.

Now is not the time to exacerbate this problem. Furloughing employees will only increase the backlog and the consequent delays. In order to help the USPTO get through the next year, we have identified an approximately $60 million surplus in the trademark operation at the USPTO.

The bill we are considering today would permit the Director of the USPTO to use a portion of that surplus to prevent the furlough of USPTO employees. Rest assured, Mr. Speaker, this is not robbing Peter to pay Paul. Any trademark money used for patent operations will be recovered by a surcharge on the patent fees paid by those who benefit from the efforts of the patent workforce.

I think it is pretty shameful that throughout the years we have not fully funded the number of employees that this agency needs to fulfill its mandate and so now in the 111th Congress we are seeking to use this lull period, if you will, because the number of applications will pick up, but we can use this period with our employees, our current employees, to put a dent in those 1.2 million applications that exist currently that are on file. This inefficiency in government with respect to the Patent and Trademark Office stifles commercial activity, and it just doesn't make any sense for the agency to not have been funded to begin with and staffed with an adequate amount of employees to meet the demand.

It is our understanding, Mr. Speaker, that with the Department of Commerce and the USPTO agreement, that the money raised by the surcharge will be used to pay the trademark operation for the money borrowed from it. The surcharge will be no more and no less than what is needed to repay the loan.

□ 1530

This bill is a limited and temporary exception to the statutory fence built around trademark fees. It will last only until June 30 of next year and requires that all fees used for patent payroll purposes will be recovered through surcharges on the patent operation. And it ensures, Mr. Speaker, that furloughs or reduction-in-force will not occur in the trademark operation as a consequence of the patent operations needs.

This bill will ensure that we retain the highly qualified and experienced patent examiners that helped innovators protect important technological gains, and we certainly need to do all that we can, now especially, to make it more efficient for those who would create new products in this rapidly changing environment that will lead to jobs for our citizens.

I urge my colleagues to join me in supporting this important measure.

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

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Given the ongoing economic downturn in this country, patent fee collections at the Patent and Trademark Office are running short, based on earlier estimates. If things do not improve, the agency must initiate furloughs of its staff in the fall, an outcome that no one wants.

Aside from affecting the individual workers, mostly examiners, these furloughs would create another setback in the effort to reduce application backlogs and expedite the processing of new applications.

The agency has already reduced its operating plan for fiscal year 2009 by $120 million and is pursuing another $125 million in cuts. But the PTO cannot accurately estimate at this time how much additional revenue it needs to survive through this fiscal year. H.R. 3114 responds to this crisis by allowing the director to shift necessary funds from the trademark ledger to patent operations through June 30, 2010, less than 1 year from now.

The bill also requires the Patent Office to reimburse the Trademark Office for any funds reassigned to it within the CBO's 5-year scoring window. The bill also is an appropriate legislative response because trademark operations currently have a projected surplus of $60 million to $70 million.

In addition, there is precedence for allowing such an intra-agency revenue transfer. Twice in the past 10 years, the Trademark Office borrowed more than $24 million from patent operations. This is an unfortunate but necessary response to a funding crisis at an agency that is crucial to the economic vitality of this country.

American IP industries now account for over half of all U.S. exports and 40 percent of our economic growth. These industries provide millions of jobs for Americans with high-paying salaries. Patents encourage innovation and provide incentives to create, build, and market new products.

Delays in obtaining patents stifle entrepreneurship in our country. We want new ideas, new technologies, and new patents. America has always been the Nation of great inventors. Now we must protect those inventors and their inventions with timely patents.

Mr. Speaker, this bill won't cure all that ails the Patent and Trademark Office long term. For that we need the other body to confirm the new PTO director who will work with Congress to implement fundamental change to the agency; but failure to enact H.R. 3114 at this time will place PTO in an even deeper hole that jeopardizes agency jobs, harms the interests of inventors, and damages a crucial component of our national economy.

I urge my colleagues to support H.R. 3114.

Mr. ISSA. Mr. Speaker, I rise today in support of H.R. 3114, a bill to promote the success and vitality of the United States Patent and Trademark Office, "USPTO."

The USPTO is integral in strengthening America's battered economy. Although there are those in this body that believe the federal government can spend our way out of the current financial crisis, this is a fallacy. It is through private commerce and investment that we will find the light at the end of the tunnel. For many sectors of our economy, patent protections provide tremendous incentive to invest.

The USPTO is already faced with a tremendous backlog of patent applications. A reduction in labor force at the USPTO would only compound this problem. It is for this reason that we must make sure that the USPTO is not forced to lay off or furlough patent examiners. Allowing the USPTO Director to use funds made available under the Trademark Act of 1946 will help to ensure this does not occur.

Innovation is the lifeblood of the U.S. economy. It is innovation which has and will continue to promote prosperity and wealth in the United States and aid in combating the recession in which we find ourselves today. I encourage my colleagues to support the USPTO and support this legislation.

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

Mr. JOHNSON 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. JOHNSON) that the House suspend the rules and pass the bill, H.R. 3114.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

RECESS

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

Accordingly (at 3 o'clock and 35 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mrs. HALVORSON) at 6 o'clock and 31 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H. Con. Res. 135, by the yeas and nays;

H.R. 3114, de novo;

H.R. 1129, de novo.

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

PROVIDING FOR DESIGN OF SLAVE LABOR MARKER IN CAPITOL VISITOR CENTER

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 135, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 135.

The vote was taken by electronic device, and there were—yeas 399, nays 1, not voting 32, as follows:

[Roll No. 478]

YEAS—399

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

NAYS—1

King (IA)

NOT VOTING—32

Aderholt
Barrett (SC)
Bean
Blunt
Broun (GA)
Burton (IN)
Childers
Conyers
Deal (GA)
Delahunt
Ellsworth
Fallin
Garrett (NJ)
Gohmert
Grijalva
Gutierrez
Hall (NY)
Hensarling
Inglis
Jackson-Lee (TX)
Johnson, E. B.
Kissell
Melancon
Mica
Miller (NC)
Payne
Rogers (KY)
Rohrabacher
Sestak
Speier
Westmoreland
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1857

Messrs. MINNICK and GRAYSON changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

U.S. PATENT AND TRADEMARK OFFICE FUNDING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 3114.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 3114.

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.

NATIVE AMERICAN IRON WORKER TRAINING PROGRAM

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 1129.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 1129.

The question was taken.

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

RECORDED VOTE

Mr. CAMPBELL. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 329, noes 75, not voting 28, as follows:

[Roll No. 479]

AYES—329

Abercrombie
Ackerman
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boccieri
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Buchanan
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
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 (KY)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jenkins
Johnson (GA)
Johnson (IL)
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
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
Lummis
Lungren, Daniel E.
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (MI)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nunes
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—75

Akin
Bachmann
Barton (TX)
Bilirakis
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Campbell
Cantor
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Conaway
Culberson
Duncan
Flake
Fleming
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Granger
Harper
Hastings (WA)
Herger
Hoekstra
Issa
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latta
Linder
Luetkemeyer
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McKeon
Miller (FL)
Moran (KS)
Myrick
Neugebauer
Olson
Paul
Pence
Pitts
Posey
Price (GA)
Radanovich
Roe (TN)
Roskam
Royce
Scalise
Schmidt
Schock
Shadegg
Shimkus
Shuster
Souder
Stearns
Thompson (PA)
Thornberry
Tiberi

NOT VOTING—28

Aderholt
Barrett (SC)
Bean
Blunt
Broun (GA)
Burton (IN)
Childers
Deal (GA)
Delahunt
Ellsworth
Fallin
Grijalva
Gutierrez
Hall (NY)
Hensarling
Inglis
Jackson-Lee (TX)
Johnson, E. B.
Kissell
Melancon
Mica
Miller (NC)
Payne
Rogers (KY)
Rohrabacher
Sestak
Westmoreland
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in this vote.

□ 1909

Messrs. KINGSTON and ROYCE changed their vote from ''aye'' to ''no.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MICA. Madam Speaker, due to inclement weather canceling US Airways flight No. 2041, I was unavoidably detained and was unable to vote on rollcalls 478 and 479. Had I been present, I would have voted "yea" on each of these measures.

ANNOUNCEMENT REGARDING AVAILABILITY OF CLASSIFIED ANNEX TO H.R. 2701, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2010

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

Mr. REYES. Madam Speaker, on Friday, June 26, I submitted a statement for publication in the CONGRESSIONAL RECORD that informed all my colleagues of the availability of the classified annex to H.R. 2701, the Intelligence Authorization Act for Fiscal Year 2010.

I would like to remind my colleagues that the classified annex is now available for Member review in the committee spaces. Staff should contact the committee to schedule an appointment for any Member interested in viewing the classified annex.

Members will be required to complete the appropriate security paperwork in order to view any classified information.

□ 1915

HONORING MICHAEL JACKSON, KING OF POP

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

Mr. JOHNSON of Georgia. Madam Speaker, I know some people in this esteemed Chamber would consider all of the hoopla surrounding the death of Michael Jackson to be unnecessary. I know that some people consider this to not be important. But that's to them.

There are a lot of people out here whom Michael Jackson brought together. Despite any kinds of allegations, which I consider to be false in terms of child molestation and that kind of thing, despite all of that, we have to look at the good things that Michael did.

I know there are some generations that preceded mine that have no idea about the music of Michael Jackson because they never listened, and they don't know the international aspects of what he did. They don't know that he was a fundraiser for worthy causes.

The only thing they know about him is ''child molester,'' and nothing could be further from the truth. The man was never found guilty of child molestation. He paid a settlement, but that had nothing to do with guilt or innocence. So I just want us to be very Christian.

MEDIA SHOULD REPORT HEALTH CARE 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. Madam Speaker, recently 12 separate articles in The New York Times, The Washington Post, and The Los Angeles Times have reported that 46 million people don't have health insurance in America. And the administration is trying to justify a government takeover of health care because of this figure.

But not one of the articles explained that this number is a hoax. Fourteen million people are eligible for existing government programs like Medicare

and Medicaid but have not enrolled. Almost ten million uninsured are not citizens. Nine million have high incomes and can afford health insurance but choose not to purchase it. And millions more are without insurance for only a few months between jobs.

When you whittle down the 46 million figure, you get about 10 million people who truly need health insurance. We could buy all of these individuals a gold-plated health insurance policy for one-thirtieth of the cost of the President's health care plan.

The media should give Americans all of the facts on health care, not just give them part of the story.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 1283

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 1283, the Military Readiness Enhancement Act, a bill originally introduced by Representative Ellen Tauscher of California, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

THE NATIONAL DEBT

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

Mr. PAULSEN. Madam Speaker, I rise today to call attention to a dangerous precedent that was set recently and another record that will be set this week.

Two weeks ago the Treasury Department auctioned off a record $104 billion worth of U.S. debt in just one week. This week it is going to set the record for the number of auctions held in a given week.

More debt means a weaker dollar and rising interest rates, which will further stifle the housing market, hinder an economic recovery, and shackle future generations with debt. In fact, our debt has reached a level so high that the Federal Reserve has resorted to printing money to buy U.S. Treasurys, a practice that is both dangerous and counterproductive in the long term.

It's time for Congress to rein in reckless spending that's been the status quo here in Washington. Without drastic changes, our debt will continue to rise, and our children and grandchildren will pay the price.

PRESCRIPTION OF THE DAY: MEDICAL JUSTICE REFORM

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

Mr. BURGESS. Madam Speaker, one of the problems today in health care is that too many doctors are forced to practice defensive medicine and face the constant threat of lawsuits and unsustainable medical liability insurance rates. This results in millions of dollars of unnecessary tests and procedures. Furthermore, seasoned medical professionals are retiring early because staying in practice is no longer financially feasible, further contributing to our Nation's physician workforce shortage. It's a growing crisis that is pushing affordable care beyond the reach and grasp of millions of Americans.

National across-the-board change in the medical justice system would lower the costs and improve care by lessening the threat of unnecessary lawsuits. The Medical Justice Act, H.R. 1468, does just that, modeled after the successful Texas reforms passed in 2003. The results are documented reductions in liability insurance rates, reported growth in the number of doctors licensed each year in the State of Texas, increased charity care, amongst others.

To learn more about this very important act and how it is affecting health care in Texas, please visit healthcaucus.org or my Web site, burgess.house.gov.

SPECIAL ORDERS

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

THE BABIES ARE EXPENDABLE

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

Mr. POE of Texas. Madam Speaker, a critically ill baby was born in Canada just last month. Her name is Ava Isabella Stinson. She was born 13 weeks premature and weighed only 2 pounds. Unfortunately, Canada rations health care. And since the government must grant permission for one to have health care access, Ava was unable to get the treatment she needed to survive.

Shortages and rationing under a government system means waiting lists. There was no room at the government hospitals for special needs babies. Not in the entire province of Ontario, Canada. Little Ava had no time to be on a waiting list.

Fortunately for her, Ava's parents were able to quickly transport her to Buffalo, New York. Little Ava's life was saved by the best doctors in the world right here in America.

News reports say that the neonatal intensive care unit in Ontario, Canada, is closed to new patients half of the time. Half of the time, Madam Speaker. That doesn't happen in the United States. A case like Ava's is not unusual in Canada. Babies with special needs, like being born early, are usually sent to America for care.

Autumn, Brooke, Calissa, and Dahlia Jepps were born in America to Canadian parents back in 2007. The girls are doing just fine now. They are an extremely rare set of identical quadruplets. There was no room for them in any neonatal facility in all of Canada. Their parents flew to Great Falls, Montana, from Calgary so they could be born safely in America. Think about that for a minute. Great Falls, Montana, a city of 56,000 people, offers better access to health care than Calgary, a city of over a million people. Why? Government rationing in Canada.

Government control of health care means less access to health care, unless you are on the government special favorites list. Anyone who has tried to find a doctor or a specialist who uses Medicare knows exactly what that's like.

Bureaucrats try to tell us that more babies survive under government-run health care. They cite higher infant mortality rates in other countries as proof. But these countries skew the statistics. Babies born in some countries are considered stillborn unless they survive longer than 24 hours. You see, they don't count. In Canada, if a baby weighs less than 500 grams when born, that's about a pound, and the baby doesn't survive, they don't count it as a baby. The government calls these babies ''unsalvageable.'' Not able to be saved. ''Unsalvageable.'' What a word.

There's a lot of truth in the use of that word because under a government-run health care system, these babies just aren't worth saving. They are expendable. But they are saved in America. At least for now.

Madam Speaker, the health care debate in America is literally a matter of life and death. It's not about improving quality. America's health care system offers the best quality in the world. That's why everybody comes here.

But when the government runs a health care system, it's all about how much it costs and who the special favorites of government are. Also, government-run health care doesn't pay the doctors or nurses enough to stay in business. That means health care is rationed because there aren't enough doctors to go around. Government then decides who gets treatment and who just loses out. Like the medical ethics expert in Britain I talked about earlier today. She is a government decision-maker, and she says some of the elderly just have a duty to die. In Canada the government lets special needs babies born early just die because they apparently aren't worth the cost of saving. So now the elderly and certain babies are not important enough to be saved under socialized medicine.

In a government-run system, the government decides who gets treatment in medicine and who doesn't. That means

the government decides who lives, who dies.

The government does not have the moral right to make those decisions. Not one of the politicians who want to force America into a government-run health care boondoggle is going to be denied treatment or medicine. Not one of them. Like the book ''Animal Farm'', which had the philosophy all are equal, but some are just more equal than others. That's not what America is all about. It's the age-old struggle of freedom over tyranny.

When government bureaucrat gatekeepers have control over who lives and who dies in America, freedom is the first casualty. Just ask the elderly and the babies of Canada and England.

And that's just the way it is.

WE MUST DO MORE TO HELP THE IRAQI REFUGEES

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

Ms. WOOLSEY. Madam Speaker, after more than 6 years of foreign occupation, occupation that never should have happened in the first place, American combat troops have been withdrawn from Iraqi cities. This has led some people to believe that the conflict is over. But our troops remain in danger so long as they continue to stay in Iraq. And the suffering of the Iraqi people, especially the refugees, hasn't ended either.

A report issued last month by the International Rescue Committee described the bleak lives of the Iraqi refugees who have come to the United States to escape the violence in their home country. We admitted over 13,800 Iraqi refugees in the year 2008. Many of them had to come here because they worked for the United States military or the United States Government in Iraq and they became targets for retaliation as a result.

A large number of the refugees are war widows with young children. They are grieving over the loss of their loved ones, and many are suffering war-related emotional distress or injuries. While the refugees are grateful to be in America, most are frustrated and even in despair. The International Rescue Committee says, A flawed U.S. refugee admissions program is resettling Iraqi refugees into poverty rather than helping them rebuild their lives.

□ 1930

The committee says that the Federal program designed to help the refugees doesn't meet their basic needs. The resettlement program is badly underfunded and newly arriving refugees get a mere pittance. The United States State Department provides $900 to each refugee. The refugees are also eligible for State assistance, which varies from State to State, but which averages about $575 a month.

In addition, the refugees are eligible for Medicaid or a Federal medical assistance program, but the program runs out after 8 months. With this tiny amount of assistance, the refugees are supposed to pay rent, utilities, food, clothes, transportation and all the other expenses of daily life.

Put yourself in their shoes. If you were a refugee, already suffering from trauma and injury, could you and your family make it in a country that is as high cost as the United States of America with so little help?

The refugees are searching for jobs to help pay the bills, but we know how hard that is. And in Atlanta, for example, only 25 percent of the Iraqi refugees have been able to find jobs when they were here for over 6 months. Resettlement agencies, which received State Department funding, are struggling to do as much as they can, and they are providing a number of very important services, but their resources are dwindling because of the recession.

As a result of all these problems, Madam Speaker, many of the refugees are destitute and facing eviction from their homes. Some are wondering if they should have stayed in Iraq, even though their lives would have been in danger.

Madam Speaker, the Iraqi refugee in our country deserves better. The International Rescue Committee has called for an increase in Federal assistance to help alleviate the situation. We must support them by doing more.

We had a hand in their upheaval. Now we must give them a hand in their new country. We have a moral obligation to act.

MADOFF VICTIMS ARE VICTIMIZED AGAIN, THIS TIME BY OUR OWN GOVERNMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, my remarks are entitled ''Madoff Victims Are Victimized Again, this Time by Our Own Government.'' Americans rely on the Security and Exchange Commission, the SEC, to safeguard their stock transactions through registered broker dealers.

The SEC, however, did not do that in the case of Bernard Madoff. Irrespective of his receiving 150 years in prison for life-damaging financial crimes, many Americans who lost their life savings, who were first victimized as a result of the SEC failures, are being today victimized a second time by our own judicial system and its court-appointed trustee.

The victims' plight is compelling. Think about this, Madam Speaker, irrespective of numerous warnings the SEC received dating back 17 years, all of our Federal agencies stood by and did nothing while thousands of investors deposited their money, usually their life savings, with Bernard L. Madoff Investment Securities.

In fact, after a supposed investigation in 1992, the SEC issued a clear-cut and definitive Statement of Innocence about Madoff's business. This was an unusual occurrence. Indeed, it may be the only time in history that the SEC went as far as issuing a Statement of Innocence to clear a business that it was investigating.

Then, starting in 2002, the SEC continued to ignore seven individual and specific fraud warnings by a credible, financial whistleblower. Again, in 2004, in another government failure, the IRS approved Madoff to be one of only 260 nonbank IRA custodians, the very place that people put their retirement money for safekeeping. Why would the IRS have approved Madoff when it had the legal right and, indeed, the fiduciary obligation to inspect the books and the records of all nonbank IRA custodians?

The approval process, which the IRS shirked, was specifically designed to prevent this exact type of fraud. As Madoff's downfall exposed, both the IRS and the SEC failed to inspect Madoff in even the most basic fundamental fashion. Unfortunately, two different U.S. Government agencies both seemed to have given their approval for Americans to invest with Madoff. They indicated that he had a financial clean bill of health.

Now that Madoff's scheme has imploded, the government seeks to convey the appearance of serving justice on behalf of those who were duped.

Through the Federal Bankruptcy Court, the government has hired a private sector attorney to act as a Madoff bankruptcy trustee and will pay the trustee a fee based on his hours extended to claw back money. Well, this is not what it appears to be. Justice is not being served.

While it is true that the trustee cannot ask for a specific percentage of the total clawed back, he can ask for any specific amount he desires, and it can be based on his own internal computation using a percentage.

Since the trustee won't have enough manpower to sue thousands of people at the same time, he will also hire associate firms to assist in this litigation. All the fees charged by the law firms who are handling this case will first be paid, and then the trustee will receive his fee.

The government should, instead, offer tax or financial relief to those who were victimized, not under an arcane net equity basis, but based on their statements as of November 30, 2008. The IRS should compute tax refunds so as to return 100 percent of each individual's first loss of $2 million; then 90 percent of their loss between $2 and $4 million; 80 percent of their loss dollars between $4 and $6 million, and so forth, until a 20 percent return level has been reached, and at that point return should remain at 20 percent.

This would be most beneficial to smaller investors, who are most impacted by their losses.

If private citizens are required to reimburse other private citizens for harm

they caused, why should the government be able to drastically injure people and have no responsibility to restore those individuals' positions or pay restitution to them?

The SIPC, or the quasi-governmental body that offers insurance to those defrauded by the SEC, also stands to gain greatly by not paying the insurance. Even to the casual observer, this is a potential conflict of interest. A mistake has been made, and it must be corrected.

Their computation of net equity for purposes of insurance and clawback for Madoff victims is quite different than the formulas they have used each and every time in the past for other cases which were similar in nature. Since when did rules, regulations, and laws become changeable based on circumstances that would save the insurer the most money and allow the trustee to go after the largest clawbacks? To even the casual observer, there is a conflict of interest.

The President says that it's time to take responsibility and admit when a mistake has been made. "A mistake has been made."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2997, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 111–191) on the resolution (H. Res. 609) providing for consideration of the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF H.R. 2965, ENHANCING SMALL BUSINESS RESEARCH AND INNOVATION ACT OF 2009

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 111–192) on the resolution (H. Res. 610) providing for consideration of the bill (H.R. 2965) to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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.)

REMEMBERING ROBERT MCNAMARA

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

Mr. QUIGLEY. Robert McNamara once said, "You can correct a wrong only if you understand how it occurred and you take steps to make sure it won't happen again."

Today, as we mark the passing of the late Secretary, I think it's time to apply the lessons he learned in Vietnam to our own times. He said, "We are not omniscient. If we cannot persuade other nations with similar interests and similar values of the merits of the proposed use of that power, we should not proceed unilaterally."

We had to learn that lesson again in Iraq.

He also said, "Our judgments of friend and foe, alike, reflected our profound ignorance of the history, culture, and politics of the people in the area, and the personalities and habits of their leaders."

That's another lesson we learned again in Iraq.

Secretary McNamara's Vietnam regrets also extended to the homefront. He confessed that "We failed to draw Congress and the American people into a full and frank discussion and debate of the pros and cons of a large-scale military involvement before we initiated the action."

Unfortunately, we did the same thing with Iraq.

Instead of being straight with the American people, we spent years reducing the debate to a false choice between "stay the course" and "cut and run." Today, as in McNamara's time, we face the consequences of our silence.

McNamara also recognized that we did not learn from his initial mistake. We stuck to the same tired plan of action, even if it had minimal relevance to the situation on the ground.

"After the action got underway," McNamara said, "and unanticipated events forced us off our planned course, we did not fully explain what was happening and why we were doing what we did."

We have learned that same lesson again in Iraq and too often find ourselves bogged down by unattainable goals and unable to explain why we are there and what we plan to do about it. Unfortunately, we have had to learn many of the same lessons twice.

In the early years of the Vietnam war, just as in the early years of the Afghanistan and Iraqi wars, you could state with confidence that our military was the most powerful in the world. But military strength does not always translate into victory on the ground.

Secretary McNamara had learned a terrible lesson, that fighting a war without committed allies, without planning, without public discussion and against an enemy force defending its home territory, is not a winning proposition.

In fact, in 1962, McNamara said, "Every quantitative measurement we have shows we're winning this war."

But Vietnam wasn't ultimately about quantitative measures. It wasn't enough to burn out its jungles with napalm or blockade its ports with gunships. The bigger issue was strategy, planning and foresight. We didn't know why we were fighting in the first place nor what we are fighting to achieve in the long run.

We had no perspective from which to evaluate our progress and reevaluate our goals. All we had were empty measures of troops, bombs and jets. The lesson of Vietnam has had to be learned and relearned too many times.

Secretary McNamara finally admitted in 1995, "We were in the wrong place with the wrong tactics."

At this time of his passing, we should take a moment to reflect on his legacy and take steps to ensure the wrongs of Vietnam don't happen again. The key lesson from Secretary McNamara is that we do that we do not live in a simple world with simple solutions. Military force is only one piece of the puzzle. Success depends on many variables.

McNamara saw this complexity in Vietnam. "We failed to recognize that in international affairs, as in other aspects of life, there may be problems for which there are no immediate solutions. At times we may have to live with an imperfect, untidy world."

That same complexity exists in the present conflicts in Afghanistan and Iraq. We need an open and frank discussion of our goals as well as how we plan to achieve them. The American people deserve to know if we are in the wrong place with the wrong tactics. Let's not sacrifice another generation to a war we think we are winning on paper.

HONORING JOHN W. FISHER

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

Mr. PENCE. Madam Speaker, I rise today with a heavy heart to pay tribute to a friend and to the memory of a great man who will long be remembered across the State of Indiana as a civic leader and a philanthropist whose impact will be felt for generations.

For decades, John W. Fisher has been a leader in the business community of eastern Indiana. Remembered by many as a giant of industry, John will be greatly missed, not only by his family and friends, but all those whose lives he touched.

A native of Walland, Tennessee, John was known for his athleticism, an all-American. He graduated a Volunteer from the University of Tennessee in 1938, but it was his connection to the Ball family that brought him to Muncie, Indiana.

Married to his beloved Janice, John did not plan to live in Muncie; rather, he had always thought he would eventually settle in his native Tennessee.

However, he was convinced to take a more active role in the Ball Corporation by his brother-in-law, Edmund, one of the founding members of that company.

By then, John had earned an MBA from the Harvard Graduate School of Business, and with a keen business intellect, he quickly became a prominent figure in the Muncie business community and all across our State.

□ 1945

While serving in various capacities for Ball Corporation, John W. Fisher distinguished himself as a risk-taker. Richard Ringoen, former Ball Corporation president, noted John's performance once, saying, ''This company has grown because John Fisher was willing to take calculated risks. He has been willing to immerse himself in details that a lot of executives would simply avoid.''

John was elected to serve as corporate vice president in 1963 and by 1970 was named president and CEO of the Ball Corporation. By the time he retired as chairman of the board, Ball Corporation had experienced a period of rapid growth, significant diversification of its products; and thanks to John Fisher's leadership, that year Ball Corporation's annual sales exceeded a billion dollars.

Retirement wouldn't mark the end of his civic contributions to the community or his entrepreneurial spirit. Until his death, John W. Fisher served as chairman of the Cardinal Health Care Systems, trustee of DePauw University, director and former president of the Indiana Chamber of Commerce, a life director of the National Association of Manufacturers, and a benefactor and booster of Ball State University.

Never one to let a good business opportunity pass by, John relied on his experience and remarkable insight to become involved in one project after another. When asked about his approach to business, John said, I take major risks. I don't hesitate to take a very careful look at fresh ideas, especially when capable people are associated with the idea.

It was that entrepreneurial spirit that led John to become involved with so many different industries. From furniture companies to fish farms and many things in between, John Fisher simply seized life with both hands.

Madam Speaker, John Fisher will also be renowned for his business acumen, but also remembered by friends and colleagues and those close to him as a kind-hearted man with a deep commitment to the community.

The Fishers donated millions of dollars to Ball State University, establishing the John and Janice Fisher Chair in Exercise Science and created the Fisher Distinguished Professorship in Wellness and Gerontology. Until his passing, he served on the national campaign committee for Ball State Bold: Investing in the Future—which is the university's fundraising campaign.

Upon learning of his passing, the president of Ball State University said that John W. Fisher's commitment to Ball State University had been ''unequaled in the university's 90-year history.''

More recently, to honor his service, Ball Memorial Hospital dedicated the John W. Fisher Heart Center in January 2009.

Now, many will remember John W. Fisher for these business undertakings and the rest, but I will remember him as a dear friend and a mentor. I first met John Fisher back in 1988 when I entered public life. Since that time, our relationship has been a continuous source of wisdom and guidance to me.

While he had no political ambitions for himself, he had a lifelong interest in public affairs and was keenly aware of the issues facing the country. As an active participant in the Muncie Rotary—and every time I showed up there he always had a good question to ask in public—but I'll most cherish the privilege of having spent innumerable occasions sitting in John's office and learning from him about the world and business and public life, and drawing on his wisdom, his faith, and his integrity. John Fisher shaped my life and my career in countless ways.

John W. Fisher personified everything that's great about the United States of America. He was a strong, principled leader, generous philanthropist, devoted family man, and he was always willing to take a stand for what he believed in.

Blessed with a wonderful family, John Fisher is survived by his wife, Janice, their seven children, 19 grandchildren, and 28 great grandchildren.

The Bible tells us that ''the Lord is close to the brokenhearted,'' and so is my prayer for his extended family and community of friends today.

Madam Speaker, one of my favorite John Fisher quotes is: ''Ride hard, shoot straight, tell the truth, and be good to your fellow man.'' And that's how he spent his 93 years on this Earth.

Indiana lost a giant—and in John W. Fisher I lost a cherished friend. And it's been my privilege to pay tribute to him on the floor of the House this evening.

STATEMENT IN MEMORY OF STEVE STREATER

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. Madam Speaker, I rise today in memory of Steve Streater, who passed away in Asheboro, North Carolina, on June 20, 2009, at the age of 50. I extend to all of his friends and family my deepest sympathy for their loss.

Many North Carolina residents will remember Steve as a University of North Carolina football hero, who helped lead the team to the 1980 Atlantic Coast Conference ACC title. What some might not know is that Steve was a star player in both baseball and football as a student at Sylva-Webster High School.

As a baseball pitcher, he set North Carolina High School Athletic Association baseball records that still stand today—with a reported 12 shutouts in a season, 23 wins in a season, and 61 career wins. He also had eight no-hitters.

Steve was a good student and like his brothers Eric and Jimmy, he went on to play football for a Division I college, the University of North Carolina at Chapel Hill.

At the University of North Carolina, Steve became the only ACC player in history to earn all-conference honors at two positions. He was a first-team punter and safety for the 1980 Tar Heels football team, the last to win an ACC championship.

During his senior season, he had five interceptions, including three in the season closer against Duke University. Steve was also the defensive Most Valuable Player of the 1980 Bluebonnet Bowl, with an interception that set up the winning touchdown against Texas.

Sadly, after his triumphant season, Steve's athletic career abruptly ended when he was involved in a freak car accident. In April of 1981, he was returning home from a tryout with the Washington Redskins. Hours after he agreed to sign a free agent contract, his car hit a slick spot, slid into an embankment, and was hit by another car. He suffered a back jury in that accident and was left paralyzed from the waist down for the remainder of his life. I remember that the Washington Redskins thought so much of Steve, they still paid his signing bonus after the injury.

Although Steve could no longer impress fans with his skills on the field, he made an even greater difference as he served as a role model for countless young people. From this tragedy, Steve became an inspiration to high school students throughout North Carolina. In addition to coaching, he was appointed State field coordinator for SADD, Students Against Drunk Driving, which launched in North Carolina in 1983. His car accident was not alcohol related, but in this role he was not only an inspiration to students, but to people like me.

While serving in the North Carolina General Assembly, I had the privilege and honor of introducing Steve several times when he spoke to student groups in my district. I am certain that he benefited from the love and support of his family and friends because, despite his accident, he never showed the pain of what he had lost.

Steve touched many of us young and old in such a positive way that his life will never be forgotten by those of us who had the privilege to know him. Steve Streater was an outstanding individual and he will be dearly missed.

REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS

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

Mr. SPRATT. Madam Speaker, under section 423(a)(1) of S. Con. Res. 13, the concurrent resolution on the budget for fiscal year 2010, I hereby submit an adjustment to the budget allocations for the Committee on Appropriations for each of the fiscal years 2009 and 2010. Section 423(a)(1) of S. Con. Res. 13 permits the chairman of the Committee on the Budget to adjust discretionary spending limits for overseas deployments and other activities when these activities are so designated. Such a designation is included in the bill H.R. 3082, Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes. A corresponding table is attached.

This adjustment is filed for the purposes of section 302 of the Congressional Budget Act of 1974, as amended. For the purposes of the Congressional Budget Act of 1974, as amended, this adjusted allocation is to be considered as an allocation included in the budget resolution, pursuant to section 427(b) of S. Con. Res. 13.

DISCRETIONARY APPROPRIATIONS—APPROPRIATIONS COMMITTEE 302(A) ALLOCATION

[In millions of dollars]

	BA	OT
Current allocation:		
Fiscal Year 2009	1,482,201	1,247,872
Fiscal Year 2010	1,086,660	1,306,614
Changes for overseas deployment and other activities designations:		
H.R. 3082 (Appropriations for Military Construction, Veterans Affairs, and Related Agencies):		
Fiscal Year 2009	0	0
Fiscal Year 2010	1,399	145
Revised allocation:		
Fiscal Year 2009	1,482,201	1,247,872
Fiscal Year 2010	1,088,059	1,306,759

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.)

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

(Mr. INGLIS 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 Kansas (Mr. MORAN) is recognized for 5 minutes.

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

IN MEMORY OF WILLIAM LOUIS ISSA

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

Mr. ISSA. Today is July 7, 2009. Today would have been the 24th birthday of my own nephew, William Louis Issa. Last week, I attended his funeral.

He had a connection to this House because he worked both in Cleveland, his home, and here in Washington for his Congressman, DENNIS KUCINICH. In his passing, I lost a nephew; Cleveland lost somebody who cared about the environment, who was passionate about wolves in the wild, who in fact had graduated from college and was going on to law school to be an environmentalist, to seek what liberty allows us in this country, which is the right to feel and do what you think is right for your country.

I speak from this side of the center of this body and I speak about somebody who I disagreed with on many policies. As a young man, while he was summering here and staying at our home, he wanted me to know that the eating of meat was wrong and that if I wasn't a vegetarian, then I wasn't getting it. And he admired DENNIS KUCINICH, who's a lifelong—or at least as an adult person—a vegan. And he on a host of other issues felt so strongly. But, most of all, he felt strongly about the individual liberties, particularly his.

Now his choice was a Prius and his choice was in fact to try to do and be everything for a sustainable ecology as he saw it. So when I thought about coming and using his nexus here to the House floor tonight to speak on what would have been his 24th birthday, I thought it appropriate to say that from the left—and he certainly was a child of the left; perhaps a child of the sixties reborn in a next generation—and from someone on the right, I wonder if we shouldn't come together the way this young man did with everyone he met and talk in terms of America's liberty.

What in fact is this body doing—not to pass new laws. That wasn't what we were sent for. But to defend the inherent constitutional obligations: Life, liberty, the pursuit of happiness.

I believe that he ended his life far too soon and without accomplishing what he would have, had he lived longer. But tonight I will tell you that I'm brought to the House floor for perhaps only the third or fourth time in 8 or 9 years to say that those on the left and those on the right, we need to recommit ourselves.

At a time when we're talking about regulating CO_2, where we regulate the highways, the waterways, where we're looking at an 8 percent tax on health care to pay for the new health care proposal, while so much of what we once thought of as the free wild, wild west of the United States has been changed, particularly post-9/11, I wonder if this wouldn't be a good time for men and women of good conscience on both sides of the aisle to say: Shouldn't we relook at every liberty? Shouldn't we form a liberty caucus? Shouldn't Congress be dedicated to ask the question not as Republicans or Democrats, but in fact as Americans sworn to uphold the Constitution?

Isn't it time we start looking at every single law we passed and the regulation they produced and find out how many of them we could do without—not liberal laws, not conservative laws, but all of them. I believe that that is the highest calling for those of us here in Congress.

I will tell you tonight, perhaps as a small tribute to my nephew, that I will reach out and I will ask every Democrat I see and all of my colleagues on this side of the aisle: What have we done in fact to defend liberty? What have we done to give somebody the right to decide they want to spend three months with wolves in the wild or that they want to in fact go out and save our delicate ecosystem from the unnatural twisting that 300 million people here in America bring upon the world.

That liberty is important. It's important that we pay tribute to it every chance we have, and can.

Madam Speaker, I want to thank you for the opportunity to, in a small way, talk about liberty and a man who would have fought for it.

DRAINING THE SWAMP OF CORRUPTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING of Iowa. As always, I appreciate the privilege to be recognized here on the floor of the House of Representatives. We have had a little bit of a break here, a hiatus to go back home and spend some time on the 4th of July to celebrate the birth of our great country—233 years of freedom.

A lot of that freedom has been debated, deliberated, and argued over here on the floor of the House of Representatives in this world's greatest deliberative body. The most costly freedom was fought for and lives and blood were sacrificed for on this soil and in foreign lands as well for this Nation to emerge at what has been and had become a strong and vibrant constitutional Republic. Part of the requirements to maintain that strong and vibrant constitutional Republic are that we engage in debate here and that we bring together and aggregate the best ideas of the 300 million Americans that elect the 435 Members of the House of Representatives and the 100 Senators.

□ 2000

It's essential that we maintain that kind of vibrant dialogue in this deliberative democracy, as some would call it. It's essential that we maintain the highest levels of integrity in order that this great Republic can continue on the path that has been charted for it by so

many of our Founding Fathers and our predecessors. However difficult the process that they were in might have been, they emerged and led this Nation clearly along a path, a higher road; and that higher road has been a road that held our own Members accountable for the highest standards of ethics. We have an Ethics Committee here in the House. I recall much of the debate that took place here on the floor back during the 108th and the 109th Congresses when allegations were made about Members and their levels of integrity. I remember prior to my arrival here many charges being filed in the Ethics Committee against Members of Congress who, it seemed to be, their only transgression was that they were effective in advancing the conservative cause. I recall, Madam Speaker, that when NANCY PELOSI was the leader and not the Speaker, she gave many speeches herself and alleged over and over again, Elect us into the majority, and we will come in, and we will drain the swamp, Madam Speaker. Well, here we are now. The majority has changed. The promise apparently is drifting away, and there are questions that continue to emerge and questions about the standards that are being adhered to, or not being adhered to, by certain Members of this body. Questions that are raised by publications that have a strong affinity for the majority party in this Congress, those who made a living out of attacking and criticizing Republicans when they were in the majority and Republicans when they were in the minority now are raising ethics questions about the activities of the Members of this new Democrat majority who is now halfway through their third year. So 2½ years into this majority, we're starting to see that the allegation about draining the swamp was only an allegation about using ethics charges to attack Republicans. I'm not seeing this same level of leadership, regardless of the promise made by the Speaker, to scrutinize the Members that are under the public's scrutiny now, and some who are reportedly under investigation by the FBI. Now I'm going to be a little gentle about how I discuss some of these issues, Madam Speaker, because it is a delicate subject. But it's essential that the subject be raised and that we have this debate and this dialogue here on this floor because in the end, it's not going to be the conscience of the people that are crossing the line or allegedly crossing the line. They aren't going to wake up in the night and have an attack of conscience or an epiphany and come down here and say, I'm going to clean up my act. I've gone too far. I slipped into some things that I shouldn't have been involved in. That is not going to happen. That is not what human nature does except in very, very rare circumstances. No. What will happen is, if this is to be cleaned up, and if it's to be addressed, the ethics questions, the cloud that hangs over Member after Member after Member here, influential Members, members of the Appropriations Committee, Chairs of the Appropriations Subcommittees that exert significant influence over where taxpayer dollars go, this cloud that hangs over is only going to be cleared if the Speaker of the House follows through on her promise to drain her swamp—or if the public becomes so outraged that they demand that the situation be cleaned up.

Now we have had for a long time in this House—and I can think back at least 2½ years—we've had a dysfunctional Ethics Committee, a committee that was a black hole, that if there was a charge that was filed, it went in, and it was never acted upon. And they could investigate in complete confidentiality so no one could look over their shoulder, a committee that was balanced and nonpartisan in such a way that it was immobilized and couldn't take action at all. I cannot remember the last action of the Ethics Committee that had any effect in a constructive way of providing more cleanliness here in the House of Representatives.

Now if I get to these posters, I am going to go through some of the things that are constantly in the news. This summary comes out to be this: This is the ''draining the swamp'' leadership hour of the Republican leadership, and we have a pattern of ignoring the corruption. There is a pattern of practice for Speaker PELOSI. We have eight appropriators who, it's reported, are now under investigation for potential conflict of interest violations. With the Nation's spending out of control and trillions going to special interest, we have questions and challenges that are coming up, flowing throughout the media. Let me say that new allegations of these defense millions are funneled to aides and relatives; contractors are now charged with kickbacks. We have seen thousands in defense contractor dollars go through PMA, and out of there came donations to the Appropriations Chair of the Armed Services Committee. Then we've seen $250 million in earmarks go back through that lobbying firm, PMA, which, it's reported, is clearly under investigation. A lobbying firm that has been closed down because of the investigation and those activities that are the subject of FBI investigations have shut down the lobbying firm PMA, a defense contractor lobbying firm, and have implicated a significant number of NANCY PELOSI's chosen Chairs, people whom she has handed the gavel to. This list is long, and I think it's expressive of what is going on. We had one of the Appropriations Chairs step down from the Ethics Committee because of reports of an ethics investigation but found himself chairing the Justice Appropriations Committee—the people that were reportedly investigating him, holding onto the gavel in one hand to control the Appropriations and Justice approps, at the same time holding the purse strings of the FBI, who is reportedly investigating the chairman of Justice approps. This goes on in the United States Congress, and the American people are not outraged? I think they are. I think they just have so many things to be outraged about that they can't bring their focus on one subject or another because it comes at them over and over again like a triphammer. These allegations that are documented—the same Member, the chairman of Justice approps, received a $70,000 donation to his family's foundation. At the same time millions were earmarked to the West Virginia High Tech Consortium. That's just a touch of what's going on there, Madam Speaker. And as I've watched this for 4 to 5 years, it just gets worse. When we see a chairman of Justice approps, for example, with 50 earmarks in a bill, and the people that are on the committee are afraid to challenge him for fear that their district will be punished, a certain culture grows up within the appropriators in this Congress, when their fear that they will lose their leverage and not be considered to be a loyal member of that committee, might be considered ineffective, if they are to raise the issues that they know should be raised. What happened to the altruism that I read about in our history books, the altruism that I was convinced existed and burned within the heart of all of our predecessors as they shaped this country? Yes, they disagree on policy; but I didn't think that they disagreed on ethics. That's the chairman of the Justice approps. We know about the Appropriations Chair of Armed Services and his connection with the earmark to the unused airport. I think we ought to take a CODEL to that airport. We have here a situation that has to do with the CBC. As we call it here, the Congressional Black Caucus, Madam Speaker, for those who are not on a day-to-day basis dealing with the acronyms of this House and, let me say, a separatist group that has formed themselves in a way that if it were any other group of people, they wouldn't be allowed to have an organization like this. But it's a matter of record that the Congressional Black Caucus took some trips down into St. Martin, Antigua and Barbuda. That was in 2007. And the question is: Were there corporate funds that sponsored these trips? And if so, it would be a clear violation of House rules. There is videotape, I'm advised, that shows the banners of the corporations hung up across the area where it's presented, and Members are thanking the corporations for sponsoring their trip. And who would be dealing with the investigation? Representative G.K. BUTTERFIELD, Democrat, North Carolina, member of the Congressional Black Caucus, and one who had gone on a previous trip into that same part of the world with the same group of people. So we would ask the same people who are being, let me say, evaluated for a potential ethics violations to investigate essentially themselves. So

maybe they want to get back together and have a little reunion and decide if they did anything wrong. We don't have answers to the public. We simply have a black hole of ethics that hangs over their head. They also argue that it's improper for someone—and I'll argue this. It's improper for someone who attended the Caribbean conference to lead an investigation into it as to whether it violated House rules. What a contradiction. But the same gentleman who's leading the investigation, Mr. BUTTERFIELD of North Carolina said, You cannot completely divorce yourself from relationships. Yet he would be willing to recuse himself if he got the sense that there was a contradiction. We shall see.

And what do we hear from the Congressional Black Caucus when the issue was raised and the press asked them the question, Did you go on a corporate-funded trip to the Caribbean? Or was it two or three? Their response was—well, they complained about a lack of minorities in the office that was taking a look at this issue, the Office of Congressional Ethics, which was set up by NANCY PELOSI. So Speaker PELOSI's Office of Congressional Ethics is looking into the activities of the Congressional Black Caucus and their trips to the Caribbean, potentially funded by corporations. And what does the Congressional Black Caucus have to say? They don't think that the committee looking into them has enough minorities. The first question asked, and they have to play the race card. That doesn't speak to me as an issue that they have a very strong defense for. That's the knee-jerk response, Play the race card. That's why they are the Congressional Black Caucus, after all, the liberal Congressional Black Caucus. And we have Peter Flaherty, the president of a conservative watchdog group, and upon uncovering evidence of the trip's corporate sponsors, he said he was disappointed with the appointment of Mr. BUTTERFIELD to head up the investigative group. His answer was, the Congressional Black Caucus really sticks together. You can see their solidarity in the face of these ethics charges. To put one of their own members in charge of the investigation just shows that nothing has changed. The ethics process is still a complete mockery. Peter Flaherty.

And Mr. McGee also questioned whether the Congressional Black Caucus members should be leading the probe. He said, In this case, this is a trip that is publicly connected to the CBC, and only CBC members were participants. To have a CBC member lead the investigation is not the best way to ensure a publicly credible and acceptable result. Mr. McGee, I agree.

We could go on and on. But here is the quote from Speaker PELOSI when she said that she's making a commitment to ''draining the swamp of corruption.'' I don't see activity on that commitment, and it is time. It is time we raised the issue. It's time the American people look into these allegations. It's time that this Congress form an effective Ethics Committee, an Ethics Committee that can clean this up and drain this swamp, as defined by the Speaker, who I think eventually is going to have to respond to this. She's going to have to keep her word. She has created the organization, the evaluation organization, and now it's time to use it. And the name of the organization that she shaped escapes me for the moment, but it was formed by the Speaker of the House for the purposes of—in her words, ''draining the swamp,'' and what do we get from the Congressional Black Caucus but a complaint that there weren't enough minorities on the committee that were appointed by the Speaker. Now, I'd like to think that ethics is completely independent of ethnicity. I'd like to think that morality is independent of ethnicity or race or gender or whatever one happens to be oriented.

□ 2015

I would like to think right is right and wrong is wrong, that truth is truth, that fiction is fiction, that the Constitution is what it is, that the Bible says what it says, that the Declaration says what it says, and that every Member here would speak the truth.

I would like to think that every Member of this Congress carries with them, internally, an ethical conscience that we owe a duty to the American people, that we owe a duty to the American people to live here at the highest standards and that we will not be drawn down into the low standards, and that we owe a duty to them to stop and to evaluate ourselves. That is what the Ethics Committee is about.

The working group that is designed to enhance the Ethics Committee apparently is not functioning, but we do have a Member of the Congressional Black Caucus investigating the Congressional Black Caucus under the auspices of the organization that is formed by the Speaker to do just that. I don't think it is quite the fox guarding the henhouse because I don't know what goes on in the mind of Mr. BUTTERFIELD. But I will say it raises questions. This Congress needs to raise questions.

We are watching favoritism here on the floor of the House. A week ago last Friday, the cap-and-trade bill, cap-and-tax bill, I call it, passed off the floor of this House. There were dozens of Members of this Congress, Democrats in the dozens, who had made the public statement that they were opposed to this cap-and-tax bill. But what we saw happen was as they needed the votes to get it passed, Member after Member would walk down in a lineup. They would queue up back here behind the microphone. And they would have in their hand their little script. They would carry that script down to the microphone. And the chairman who was managing the time would yield to them. They would read from the script. And the script would say something to the effect of ''I took a position against the bill because I was concerned about the interests of my constituents,'' which really means ''because I know it will cost my district a lot of money, it will transfer our jobs overseas, and it is a bad idea.'' This is what they said before the bill came to the floor.

An amendment was dropped in at 3 o'clock in the morning. It was 309 pages. No one had a chance to read it. But still they read from their script, and it said, on balance, I think that we have mitigated some of the disaster created by this—they wouldn't say it quite that plainly, of course—but I think we've mitigated some of the problems in this bill and I think we're working on this and we're going in the right direction. I think my constituents are going to be adequately covered.

Then they would pause while the committee chairman would read from his script. And he would say, I appreciate working with the gentleman. We've made progress on this bill. And even though we haven't had a chance to change any more language in this amendment that came in, 309 pages at 3 o'clock in the morning, to accommodate for this component that this Member would like to have, still, the fact that we read this colloquy into the RECORD changes the meaning of the bill.

And now the Member that was there and had read off the script, ''So therefore I'm going to vote for the bill because I've worked with the chairman and we each agree we've done our duty to God and country and the bill is not as bad as it would have been otherwise.''

Really? The bill changes because one Member won't vote for it unless he gets some cover? So he walks down here, reads from the script, the chairman reads from the script, the Member reads from the conclusion of the script, and now we have changed the meaning of the bill? And it is enough to turn a vote around 180 degrees and deliver to America a cap-and-tax bill by a vote of 219–212 which, by all appearances, is this: They're wrong on the science, they're wrong on the global warming argument, and the idea that you can set the Earth's thermostat simply by controlling CO_2 emissions, only CO_2 emissions, and by doing so from American industry is going to lower the temperature of the Earth, and that by lowering the temperature of the Earth, we are going to have a higher quality of life. That is the undercurrent of this.

I will say they are wrong on the science. They can't make a scientific argument. They are completely wrong on the economics. The idea that we are going to create green jobs by taxing energy, specific kinds of energy, CO_2-emitting energy, is completely wrong.

What solution was the best solution if you accept the premise of Mr. WAXMAN? It would be a lot of nuclear-generated power, for which we have no

provision that opens it up so that we can build more nuclear-generating plants. It has become virtually impossible to build new coal-fired generating plants before this bill passed the floor of the House. The development of electrical generation in America is now frozen, suspended until we can figure out what is going to take place, what the Senate will do, if they take up the bill at all, and how they might amend it. But when you take something that is bad and you amend it marginally, it is still bad.

I have watched this unfold here on the floor of the House. I have watched it unfold behind the scenes. I have watched it unfold in committee. And I have yet to hear a legitimate dialogue in debate. I have yet to hear one Member of this Congress come here and raise the argument that scientifically they are right, that they can dial the temperature of the Earth down by reducing the CO_2 emissions in the United States and by raising the cost of energy.

This bill is an energy tax. It taxes all the energy in America. If you get in a car or on a bus and ride a half a block, you have used energy. If you throw on a light switch, you have used energy. If you pick up a cup of coffee, it took energy to heat the coffee and make it. It took energy to make the cup. Whenever you move, you are using something that took energy to produce. All of our components are intricately tied to energy.

A nation that has expensive energy will be uncompetitive against the nations that have cheap energy and lots of it. One of the strengths of this Nation has been that we have had a sound and good, competitive, multi-sourced energy policy in the United States. We pioneered the oil drilling in the world. We led with this. It started in Pennsylvania. It developed in Texas and Oklahoma and other places around the country. It went up to the North Slope of Alaska. It went offshore.

America has developed much of the technology that produces the oil and natural gas for the world today. That has been a core of the strength of America's vibrant and huge global economy that we drive. The percentage of it that we have is so significant. We have had almost unlimited natural resources for most of this term of 233 years. We have had a lot of cheap energy of many different varieties. We have had constitutional rights, especially property rights, the rule of law, a work ethic and a morality that has tied this country together. These are the pillars of American exceptionalism.

We had ideas for energy just a year ago. A year and a month ago, some of us were here on the floor of the House, and we had been debating energy for I will say about 6 weeks, when we got up to the August break. Now as the energy debate got turned up, the Speaker of the House decided she didn't want to hear any more discussion about energy. So they abruptly adjourned and shut this process down. We kept debating anyway as the microphones were shut off and eventually the lights were shut off. We kept debating anyway. And we went out into the Capitol Building and brought people in to the seats, people off the streets, and set them in the seats here on the floor of the House of Representatives. People sat in CHARLIE RANGEL's seat. They sat over here in BARNEY FRANK's seat. They sat in Mr. DINGELL's seat. They sat in Republican seats too. They sat this close, right here, tourists off the streets of Washington, D.C., off the Capitol Building in here on the floor of the House of Representatives so we would have somebody to talk to because the TV cameras were shut off and turned to the side. The microphones were shut off. And the lights were shut down in here because the Speaker didn't want to hear any more energy debate. But the delivery we gave then and the delivery that we continued on up until nearly the election last fall was all energy all the time, as our leader says, ''all of the above.''

I put a chart here on the floor that showed all of the sources of energy that we consume in the United States. It is a pie chart with color code, how much is coal, how much is natural gas, how much is petroleum products, gas and diesel fuel, jet fuel, heating oil, how much is ethanol, biodiesel, wind, nuclear, geothermal, solar, and coal. The list goes on. We were consuming 101.4 quadrillion Btus of energy in the United States and producing about 72 quadrillion Btus of energy. So roughly speaking, we are producing only 72 percent of the overall energy that we are consuming in the United States. And yet we are an energy-rich nation. We are an energy-rich nation that should be able to shape an energy policy, an energy policy that will keep our energy cheap so that our economy can be competitive, so that Americans can make things here in the United States, and America will be where the jobs are. Jobs are going to be where it is competitive.

It is pretty obvious from looking at what is happening to General Motors and Chrysler that we have had a lot of trouble being competitive on labor. If we can't be competitive on labor, at least we can be competitive on our natural resources and at least we can be competitive on our energy prices. Instead, the Speaker of the House has embarked upon a path of making energy more expensive in this country under this viewpoint of trying to save the planet. Do you remember the quote from last year? ''I'm trying to save the planet. I'm trying to save the planet.'' She is trying to save the planet by increasing the cost of all of the energy in America and driving up the cost of electricity.

We had a witness before an Energy and Commerce Subcommittee chaired by Mr. MARKEY. This gentleman's name is David Sokol, who is the chairman of the board at MidAmerican Energy. Mr. Sokol testified as to the costs in increased electricity, the costs to the, I think the number is 6.9 million, ratepayers that MidAmerican has. They have a balanced portfolio of energy sources. They said they can meet the carbon caps that are being imposed on them in this cap-and-tax bill. But what will happen is the customers will have to pay. They will have to pay twice, once for the cap-and-tax, and again to change, to renovate the means by which they deliver that energy. He testified that the cost, just for the additional cost annually per household, was $110 a month, which maths out to be $1,320 a year just for the electricity. Add on to that the extra cost for gas for all of the costs on consumers because of diesel fuel in trucks and the extra energy that it takes to produce anything. Let's just say you're in the business of mining iron ore and shipping that over and melting it down and turning it into steel. All of the energy that is required there to mine it, to heat it, to convert it, all of that makes it almost prohibitive when you see costs that are going up for energy costs, in many cases a doubling of certain kinds of energy costs.

Also, when you look at the map of the United States, you will see that the States that have the credits, that have a surplus of hydroelectric power, a lot of the people in those States would like to put our rivers back where they were. I'm not among them. I think we can improve upon Mother Nature. I think hydroelectric power is a wonderful thing. I would be happy to have more of it. But the States that have it are the States that get carbon credits to trade back, to sell back to the States that are generating a lot of their electricity with coal.

So that amounts to a transfer of wealth from the States that are short on hydroelectric and other forms of renewable energy production to those that are long on the nongreenhouse-gas-emitting-generating systems. So you would see almost all of the country transferring their wealth to the Northeast, to the full West and the entire western seaboard. South Dakota would be a recipient State because they have a series of hydroelectric dams in South Dakota and not a lot of people to use the electricity. That is what happens. It pits Americans against Americans. It punishes some, and it benefits others. It punishes all of agriculture.

This is all taking place because an idea was generated 30 or so years ago and was pushed by Al Gore who received a Pulitzer Prize and made a movie. And they don't have to be factual. They don't have to prove anything. They just simply make an allegation that the Earth is getting warmer, and if the Earth is getting warmer, then we must do something because things are horrible. And so the only thing we can do is the thing that they present to us, of course.

It reminds me a lot of the stimulus package.

□ 2030

The stimulus package was put together by President Obama. He came to our conference and said it is one leg of a multilegged stool that we have to construct to get us out of this economic crisis we are in. It was all one leg at that time. It was about a $2 trillion leg. It was $787 billion, and they throw in some more from some other bailouts, and it is about $2 trillion.

So we went down this path. We were all pressured to vote for that $787 billion stimulus package because, after all, we were in an economic crisis and we must do something. Those of us who opposed the stimulus package were accused of being against doing anything. They just want to do nothing, they said, as if their idea was the only thing we could do.

I wrote legislation, introduced it, argued for it, and got the back of the hand from the people who thought government should own everything because they didn't want free market solutions. It looks to me like they wanted government intervention.

And so we have a stimulus plan and we have the nationalization that has taken place of Bank of America, AIG, Bear Stearns, and Merrill Lynch, is incorporated into that. Fannie Mae and Freddie Mac that used to be private became quasi-government, and now they are completely government, a wholly owned subsidiary of the Federal Government. And roughly, there is a $5.5 trillion outside potential liability of Fannie Mae and Freddie Mac, and that is if it all melts down.

General Motors and Chrysler, there are about eight huge national entities that have been nationalized, formerly private, now nationalized under President Obama, the President Obama who said: I don't want to do this. I am not interested in taking over corporations. I don't want to be involved in the day-to-day operations of these corporations. He is a reluctant nationalizer of private businesses. He didn't want to be involved in the day-to-day operations.

There are other solutions out there. One would have been to take AIG, this huge insurance company which had such a large share of the market that no one could check its balance sheet, no one could evaluate the premiums they were charging because no one understood the scope of the business that they were in. And they guaranteed the return, the performance of these mortgage-backed securities, this toxic debt, this toxic paper that these investment bankers had. No one could evaluate AIG. But they could pour hundreds of millions of dollars into AIG, and we couldn't even have a discussion about splitting them up, dividing them up and throwing away the bad components and letting them compete against each other, or sending them into bankruptcy and letting them go that route and let the emerging insurance companies fill that market. That could have been a solution, too.

I argued this way. Look at AIG as if it were an apple, and you take that tool off the kitchen counter and it takes the core out and slices it up into six pieces. That could have happened with AIG like it happened to Ma Bell, and they could have competed with each other. But instead, hundreds of billions of dollars poured into AIG and our investment banks, propping them up, carrying them on, and then effectively nationalizing them, refusing to allow some of the lending institutions to pay the money back so they could be out from underneath the thumb of the White House, a White House that claims to not want to operate any of these companies, a White House that fired the CEO of General Motors and hired a new CEO of General Motors and named all but two of the board members of General Motors and dictated to the bankruptcy court the terms of the Chapter 11 before the court made the decision, dictated by the White House. By the way, the White House that says, as a matter of fact a President that says I don't want to be involved in the day-to-day operations of General Motors appointed a car czar who had never sold a car nor made one, and probably never even fixed one but probably has driven several, to call the shots on General Motors and on Chrysler, a car czar who is on the phone on a regular basis at the report of Fritz Henderson, the new Obama-appointed CEO of General Motors.

We are at the point where we have eight huge entities that are nationalized by the White House in a breathtaking fashion that many of us would have claimed would not have been a legal activity, or would have taken the authorization of Congress or resources that were not available to the White House to spend without congressional authorization, all happening so fast with the operation here that has shut down the kind of criticism that might have produced some free market results.

So the White House is involved in day-to-day operations of General Motors. The White House dictated who would be buying up what is left of Chrysler, appointed the new CEO of General Motors and all but two of the board members, and all of this works under the auspices of the car czar, who is one of 22 czars appointed by the President. There are 22 czars; more czars than the Romanovs, as Senator MCCAIN famously said. One of them is the payroll czar. The payroll czar looks around to determine whether the CEOs of the companies that have been nationalized or received TARP funds or Federal funds by the White House, to determine if the CEOs and their executives are making too much money performing the service that they are performing. In America? The President appoints someone to decide who is making too much money while they advocate the class envy that was part of the campaign and nationalize eight huge formerly private sector entities and invest our tax dollars in them and hold back shares now of common stock as if they were an outside investor, as if they were Warren Buffett riding to the rescue.

Madam Speaker, America has gone down the line. When I take us to the point of these hugely nationalized formerly private companies, all of that can be reversed at this point. All can be overturned in a saner time by a more prudent Congress and an administration that either sees the light or is replaced by one that does. All of it can be.

But this line of the cap-and-tax bill is the Rubicon. It is the stream that we have crossed here in the House that if they cross it in the Senate, it will be an irrevocable policy that forever burdens the economy of the United States of America to our detriment and hands over an advantage in global competitiveness to China and India and other emerging industrializing countries. And if that happens, there is no going back.

I talked about the culture of corruption and the promise of the Speaker to drain the swamp. There is new corruption on the horizon. The cap-and-tax bill lays the foundation for a massive amount of corruption.

When President Obama said look across to Spain for an example, an example of a country that gets it right, an example of a country that has already gone through the green revolution and created the green jobs and now they are in this new green economy, we can do that in the United States, too.

The President and many others make the argument that taxing energy in America and trading carbon credits will create these green jobs and we will have this new green economy that will be apparently healthy and vibrant, and they guarantee that they will create green jobs.

But what they don't do is talk about this in the context of, similar to the same philosophy we are going to create or save, and I don't remember the first number now, maybe 4.5 million jobs. I know it got down to 3.5 million or 3 million jobs this stimulus plan was going to create or save. Let's say 3 million jobs. That is on the low side. It has been lowered a little since then.

Create or save. Now the instant I heard that, it just hit me, create or save. If it is going to be 3 million jobs that you create or save with the stimulus plan, as long as there are 3 million jobs left in the United States of America, the President can always claim those jobs were the jobs I saved. You would have lost them all if it hadn't been for the stimulus plan. That's the logic of the ''create or save'' kind of phrase.

Those are slippery phrases, calculated ambiguities. They intentionally, I believe, give a dual meaning so people can listen and they hear something. What do they want to hear? They want to hear that the stimulus

package is going to create 3 million jobs and so they grab ahold of that, and they are not listening to the words ''or save.'' Create or save. They are not thinking that there is no way that anyone can quantify a job that is saved.

You can save a job if it is already lost and you put it back. I remember a company that was getting shut down, in the neighborhood of 40 jobs, and we engaged with the bureaucrats and entreated that they look at it more objectively and stick with their rules but not be so hasty. And out of that, those jobs remained. I would quantify we saved about 40 jobs.

But you can't deal with a national policy that can take credit for creating or saving jobs in the same category.

So what's the net increase or decrease in jobs? The stimulus plan hasn't created net new jobs. It has not lived up to the standards set by the White House which predicted we would see unemployment as high as 8 percent, maybe even 8.5 percent. Now it is at 9.4 or 9.5 percent, and the numbers are 14.5 million Americans unemployed and another 6 million who are looking for work. So let's just say 20 million, 20 million unemployed in the United States of America. None of those were jobs that were saved. None of those were jobs that were created, and the White House hasn't defined a single one yet of the jobs that were created, nor the ones that are saved.

So cap-and-trade, cap-and-tax, what does it do to the culture of corruption? What does it do to the ethics challenge that is before these many Members of Congress of which I have a list? Let me see. One, two, three, four, five, six, seven, eight, nine that are being scrutinized and are in the public eye.

Even under this environment of getting to the cap-and-tax, and I will share with you what happened in Spain as they lurched into their green economy to create their green jobs.

Spain drew a conclusion 7 or 8 years ago that they wanted to be a world leader in green jobs, a world leader in this green revolution, and they wanted to reduce the amount of CO_2 being emitted into the atmosphere and get themselves in line with the Kyoto treaty. So they set about replacing their normal generation in Spain with a lot of wind power generators; other means, too, but wind power in particular. When you get involved in issuing permits and who gets to put up and where you are going to locate a wind generator, that means bureaucrats and politicians are involved and favorites get chosen, just like the favorite dealership in Massachusetts that lost his franchise, but at the pleadings of the chairman of the Financial Services Committee had his franchise reinstated even though others did lose their franchise.

Favorites get played in politics. It happened in Spain. In the case of Spain, they were going to create these green jobs. Here is what they learned. This is the data that comes out of 7 to 8 years of experience, of going down this path that cap-and-tax takes the United States of America if the Senate passes it and the President has promised that he will veto it. They did create jobs. They created green jobs. And for every green job that they created, they had a net loss of 2.2 private sector jobs because it drew capital out of the private sector and out of the Spanish economy. They lost the two largest companies in Spain. One of them was British Petroleum, or BP as they are known now, that pulled out of Spain because their costs have gone too high.

They created a new green job here and there at the cost of, for every one, 2.2 lost jobs in the private sector. It took Spain up to the highest unemployment rate in the industrialized world, 17.5 percent unemployment and rising. The cost per green job created was $770,000 per job.

So they spent $770,000, created a green job and lost 2.2 jobs in the private sector. And they saw their electrical bills skyrocket. I think that was the phrase used by President Obama. You would see coal-fired generating plants, the cost of that electricity skyrocket under his cap-and-tax plan.

Well, electricity skyrocketed under a very similar plan, a plan that has been identified by President Obama as a model to follow, the Spanish model. In 3 years' time, the electrical bills for the residents in Spain increased 20 percent. Now that is not quite so shocking, I don't suppose, Madam Speaker, but industrial electricity costs in the same period of time went up 100 percent.

□ 2045

So residential electricity up 20 percent; industrial electrical costs 100 percent. Now, we already see the picture of why they've lost so many large companies out of Spain. They've driven up the electrical costs where they can't compete any longer. And with electrical costs doubling in industrial in 3 years and up 20 percent in residential, they actually just hit the political threshold.

It wasn't that that covered all the additional costs of generating electricity. The real truth is, Madam Speaker, that they took the cost of electricity up to the political threshold where they couldn't sustain it any longer, held it at a 20 percent increase for residents and a doubling, a 100 percent increase in industrial, and then, to pay for the rest of the cost of the electricity, went out on the financial market and borrowed the money to pay the electrical bills, borrowed the money from the international financial markets to pay the electrical bills in Spain at costs above the doubling of industrial and the 20 percent increase in the residential. And in order to borrow the money, they had to pledge the full faith and credit of the Spanish Government, which means children yet to be born and the children and the grandchildren and likely the great-grandchildren of those using electricity in Spain today will be paying the interest and the principal on the electrical bills of their parents, their grandparents and their great-grandparents—should the economy hold together long enough that they would even have the opportunity to do that—while the competitiveness of Spain digresses in the world.

And if this isn't bad enough, high electrical costs, borrowing on the international financial market to pay the electrical bill, 17.5 unemployment, $770,000 per green job created, and for every time they created a green job they lost 2.2 jobs in the private sector. All of this going on, you still had the Sicilian Mafia involved in the politics of Spain, greasing the palms, so to speak, making sure that the right people received the right cash favors in the right denominations because politicians, business people are brokering who gets to put up the wind charger, who's going to issue the permit—well, they have that determined—who gets the permit issued to put the wind charger up on which land. And the Sicilian Mafia was involved in that and remains involved in that, according to the speaker we had for a breakfast I hosted a couple months ago. Not only were they involved in the politics of the permitting process, but also involved in the politics of determining who would be the contractors, the subcontractors, and the suppliers.

So add Sicilian Mafia to this web, this web of corruption, this web of political favoritism, this ethical snarl that's there in Spain that contributes to dragging down their economy—the green economy that they set up with the idea they were going to create green jobs.

There is no empirical data, no quantifiable way that one can look at Spain and declare that Spain is a model that the United States should emulate, but the President has declared that we should do that and doesn't seem to be accountable for that flawed judgment.

So when I asked the question, of all of these things that are wrong in the Spanish green economy—the high unemployment, the high electrical bills, borrowing money to pay your electrical bills, the Sicilian Mafia wrapped up in the politics that's contributing to political corruption—of which there are many indicators here in this swamp that the Speaker has declared she wants to drain but taken no move to do so when it's her own Democratic Members—all of this going on in Spain, and here in the House of Representatives we pass a cap-and-tax bill that is a tax on all of our energy, that sets up carbon credits that will be traded—not just in the United States, but around the world.

And so somehow, with a bill in the House, we are going to pay somebody to plant trees in Brazil, thinking that that's going to sequester some carbon so we can burn some more natural gas to generate some electricity in Florida. How about that?

And I would just ask the question, aside from this snarled mess and the open door for confusion and corruption and favoritism and people getting rich off of credits, aside from all of that, aside from the extra cost in electricity of $1,320 a year just for the households in my district—according to Mid-American Energy, who hasn't seen a rate increase in over 10 years—aside from all of that, where are we going?

If we could take the 25 or the 50 or the 100 smartest people in America, or the world, erase from their minds any of the last 25 or 30 years of this global warming fear that has been perpetrated—and now has had to morph itself into ''climate change'' because we don't have evidence that the globe has been warming since 2002 so they had to change it to climate change—but if we could put the smartest people together, send them off on a retreat somewhere—send them down to the Caribbean where the Congressional Black Caucus had their little codel that's being looked at—set them up on an island, erase from their memory anything that they've heard about this global warming allegation or the proposed solutions, and first ask the question on the science, do you really believe that the Earth is getting warmer? Well, maybe.

And there are some trend lines prior to 2002 that would indicate that. That's not so much the point, but we should ask that question. Do you believe it is? And if you conclude that it is—smartest people in the world with great training in all of the fields that they need, then the next question would be, do you believe that the emissions from the industrial era, the industrial revolution are contributing to it? How much, and what could we do about that?

Now, remember that if you would take the atmosphere—and we're dealing only with CO_2 emissions in the United States of America, the cumulative total—and I've got to go a little bit from memory, but I'm going to get the scale of this exactly right, and if you take the entire atmosphere of the Earth—I know all this air has a volume to it, it's measured in metric tons, and that number is 105.5 million metric tons—I believe that's the number, that's the right decimal anyway—all of that Earth's atmosphere and draw it out and represent it proportionately in a circle, let's say a circle 8 feet in diameter, two 4 by 8 sheets of drywall side to side, draw a circle 8 feet in diameter, a foot higher than my hand around, draw that circle, think of that circle in your mind's eye, Madam Speaker, and that represents all the Earth's atmosphere.

Now, the cumulative total of the CO_2 suspended in the Earth's atmosphere over the last 205 years, since the dawn of the industrial revolution, all of that CO_2 that's gone in and that's now suspended in the atmosphere, if you would draw it on a circle, in the middle of that 8-foot circle—which is all of the Earth's atmosphere—that circle would be how big: 5 foot, 4 foot, 3 foot, 2 foot, 1 foot in diameter, perhaps, in the middle of that 8-foot circle? Or 6 inches, or 3 inches, or 1 inch—we're still going, Madam Speaker. About the diameter of my little finger; .56 inches would be all that would represent all of the CO_2 that is suspended in the Earth's atmosphere that has been emitted by the United States of America in the last 205 years, the dawn of the industrial revolution. And we're talking about that half-inch diameter circle in the middle of the 8-foot circle and reducing those emissions by 17 percent in the near term, as much as 83 percent per year in the long term.

Now, where does that get us? And how can anyone think that you can put a drop into an ocean and change the temperature of the ocean, or think that you could microscopically alter the dimension of that center little circle that represents all of the suspended CO_2 from the United States and somehow magically that's the key to adjust the Earth's thermostat. It is utter vanity, Madam Speaker. And you can put the smartest people in the world off on an island somewhere, erase all of the things that have been pumped out in their brain, start them out with fresh data, scientific data, empirical data, put some physicists there, put some meteorologists out there, some mathematicians there while we're at it, and by the way, let all of those people churn around on this climate change model—and let's put some economists out there also to churn around on what happens—and I would just be about willing to guarantee that 50 or 100 of the smartest people in the world, if you erase their institutional memory of all of the information that has been pounded into this country over the last 30 years since we made the transition from the impending ice age—which some of us remember, and at least one scientist made the switch himself, said it was certain that there was a near-term ice age that was going to come down and freeze us off of the North American continent. Now he's a global warming enthusiast. He was right one time maybe, and he will never live to see if he was right or wrong.

But all of those smart people that we could put on an island and erase their institutional memory and start them with an objective analysis, very well trained physicists, meteorologists, economists, mathematicians, chemists, put them on that island and ask them, evaluate the data that we have today and look at the science that we have, if the Earth is getting warmer and if you think that's a problem, what would you do about it, I can't imagine that 25 or 50 or 100 smartest people in the world coming up with such a concoction as a proposed solution as passed off the floor of this House in the form of the bill that's called Waxman-Markey cap-and-trade, cap-and-tax—or whatever the other acronyms are for this bill. I can't imagine that really smart people could ever cook something like that up.

Because this bill that passed the House, it was never a product of, let me say, sound science, peer-reviewed analysis, sound economics. It was never a product that ever laid this thing out down through the continuum and gamed it out to the end. No, Madam Speaker. It's a political concoction that's put together in a hodgepodge. It's—what shall I call it—liberal genetic engineering of policy. And we are stuck with it coming out of this House.

I think that this House made the single most colossal mistake made in the history of the United States Congress a week ago last Friday when they passed the cap-and-tax bill. I think they're wrong on the science, and I think they're really, really wrong on the economics. And if they're right on the science, they hand over the economy of the United States and put us at a disadvantage and allow India and China and other developing countries to continue to belch crud into the atmosphere and out-compete us economically. And more and more companies will be moving to those countries while those economies prosper and pollute the atmosphere, even to the extent of producing or developing an average of one new coal-fire generating plant per week without the emissions controls that we have here in the United States of America, pouring this all forth out of the smoke stacks in Asia and shipping us more and more of our goods.

So what's happening is we're buying plenty from Asia already, and that contributes to our trade imbalance. And then, in order to meet these budget shortfalls that are driven by the President and the liberals in Congress—trillions of dollars, a $9.3 trillion deficit in the budget offered by President Obama on top of an $11.3 trillion existing deficit, over $20 trillion—and what do we do to deal with that? We buy everything we can that we don't want to make here in the United States anymore, and then we borrow the money from the Chinese to buy things from the Chinese. So it's the equivalent of going to the car dealer, I suppose, and borrowing the money from him to buy the car that he makes.

And you keep doing that over and over again, but you've got to build something that has value. You've got to make things. You've got to provide goods and services that can be competitive. And we need to be competitive globally.

The very idea that this country is a giant chain letter, a giant ATM to be cashed into and that we can create a government economy is false. It has to have value, and it has to have value in the private sector. The private sector is the productive sector of the economy; the government sector is the parasitic sector of the economy. And you cannot grow the parasitic sector of the economy at the expense of the productive sector of the economy and

think that you can compete indefinitely in this world while you're borrowing money from the Chinese to pay the bills that you're creating by having the Chinese make the things that we can't be competitive anymore and buying it from them.

And I get along fine with the Chinese, but you've got to build things that have value and you've got to have a sound economy. We've got to have an ethical Congress. We've got to stand on free markets. And we've got to reverse the nationalization of our privatized industries. And I urge that we do so with all haste.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. HOYER) for today.

Ms. JACKSON-LEE of Texas (at the request of Mr. HOYER) for today on account of Michael Jackson memorial.

Ms. FALLIN (at the request of Mr. BOEHNER) for today on account of attending a funeral.

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.

Ms. KAPTUR, for 5 minutes, today.

Mr. QUIGLEY, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

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

Mr. POE of Texas, for 5 minutes, today, July 8, 9, 10, 13 and 14.

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mr. FLEMING, for 5 minutes, July 8.

Mr. PENCE, for 5 minutes, today.

Mr. JONES, for 5 minutes, today, July 8, 9, 10, 13 and 14.

Mr. BURTON of Indiana, for 5 minutes, today, July 8, 9 and 10.

Mr. OLSON, for 5 minutes, July 9.

Mr. INGLIS, for 5 minutes, today and July 13.

Mr. MORAN of Kansas, for 5 minutes, today, July 8, 9 and 10.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. ISSA, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Madam 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, Wednesday, July 8, 2009, at 10 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for speaker-authorized official travel during the first quarter and second quarter of 2009, pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL TRAVEL, DELEGATION TO HAITI, EXPENDED BETWEEN MAY 8 AND MAY 11, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Mazie Hirono	5/8	5/11	Haiti		888.00						888.00
Hon. David Dreier	5/8	5/11	Haiti		888.00						888.00
Hon. Jim McDermott	5/8	5/11	Haiti		888.00						888.00
Hon. Gwen Moore	5/8	5/11	Haiti		888.00						888.00
Delegate Gregorio Sablan	5/8	5/11	Haiti		888.00						888.00
John Lis	5/8	5/11	Haiti		888.00						888.00
Margarita Seminario	5/8	5/11	Haiti		888.00						888.00
Tommy Ross	5/8	5/11	Haiti		888.00						888.00
Rachael Leman	5/8	5/11	Haiti		888.00						888.00
Moftiah McCartin	5/8	5/11	Haiti		888.00						888.00
Clay Wellborn	5/8	5/11	Haiti		888.00						888.00
Maureen Taft Morales	5/8	5/11	Haiti		888.00						888.00
Committee totals											10,656

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MAZIE K. HIRONO, May 21, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT ECONOMIC COMMITTEE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 28 AND FEB. 1, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Carolyn B. Maloney	1/28	2/1	Switzerland		2006.40						2006.40
Committee total											2006.40

HON. CAROLYN B. MALONEY, Chairman, June 16, 2009.

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

EXECUTIVE COMMUNICATIONS, ETC.

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

2486. A letter from the Secretary, Department of Defense, transmitting the Department's May 2009 Semi-Annual Report providing the progress toward destruction of the U.S. stockpile of lethal chemical agents and munitions by the Chemical Weapons Convention (CWC) deadline of April 29, 2012, but not later than December 31, 2017 pursuant to section 8119 of the Department of Defense (DoD) Appropriations Act, 2008, Pub. L. 110-116, and section 922 of the National Defense Authorization Act for FY 2008, Pub. L. 110-181; to the Committee on Armed Services.

2487. A letter from the Chairman, Joint Chiefs of Staff, Department of Defense, transmitting a copy of a report to Congress entitled, ''Reachback Distributed Decision Support'' recommended by the National Defense Authorization Act for Fiscal Year 2007; to the Committee on Armed Services.

2488. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Uniform Resource Locators (URLs) for documents recently issued related to regulatory programs; to the Committee on Energy and Commerce.

2489. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, and continued by the

President each year, most recently on November 10, 2008, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

2490. A letter from the Secretary of Defense, Department of Defense, transmitting the Department's report on Activities and Assistance under Cooperative Threat Reduction (CTR) Programs (FY 2010 CTR Annual Report), pursuant to Public Law 106-398, section 1308 (114 Stat. 1654A-341); to the Committee on Foreign Affairs.

2491. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report concerning methods employed by the Government of Cuba to comply with the United States-Cuba September 1994 ''Joint Communique'' and the treatment by the Government of Cuba of persons returned to Cuba in accordance with the United States-Cuba May 1995 ''Joint Statement'', together known as the Migration Accords, pursuant to Public Law 105-277, section 2245; to the Committee on Foreign Affairs.

2492. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Determination Related to Serbia Under Section 7072(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (Div. H, P.L. 111-8); to the Committee on Foreign Affairs.

2493. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period February 1, 2009 through March 31, 2009, pursuant to Section 620C(c) of the Foreign Assistance Act of 1961, as amended , and in accordance with Section 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

2494. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report covering current military, diplomatic, political, and economic measures that are being or have been undertaken to complete the mission in Iraq successfully, pursuant to Public Law 109-163, as amended by Public Law 110-181, section 1223 and Pub. L. 110-417, section 1213(c); to the Committee on Foreign Affairs.

2495. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Learjet Model 45 Airplanes [Docket No.: FAA-2009-0498; Directorate Identifier 2009-NM-065-AD; Amendment 39-15923; AD 2009-11-13] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2496. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 Airplanes and Airbus Model A300-600 Airplanes [Docket No.: FAA-2009-0486; Directorate Identifier 2009-NM-064-AD; Amendment 39-15919; AD 2009-11-09] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2497. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company 150 and 152 Series Airplanes [Docket No.: FAA-2007-27747; Directorate Identifier 2007-CE-030-AD; Amendment 39-15904; AD 2009-10-09] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2498. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747-400D, 747-400F, 747SR, and 747SP Series Airplanes [Docket No.: FAA-2008-0731; Directorate Identifier 2008-NM-058-AD; Amendment 39-15812; AD 2009-04-06] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2499. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH (ECD) Model MBB-BK 117 A-1, A-3, A-4, B-1, B-2, and C-1 Helicopters [Docket No.: FAA-2009-0453; Directorate Identifier 2008-SW-63-AD; Amendment 39-15911; AD 2009-11-01] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2500. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; M7 Aerospace LP Models SA226-AT, SA226-T, SA226-TC, SA227-AC (C-26A), SA227-AT, SA227-BC (C-26A), SA227-CC, and SA227-DC (C-26B) Airplanes [Docket No.: FAA-2009-0119; Directorate Identifier 2008-CE-068-AD; Amendment 39-15916; AD 2009-11-06] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2501. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; British Aerospace Model HS 748 Airplanes [Docket No.: FAA-2009-0478; Directorate Identifier 2008-NM-133-AD; Amendment 39-15917; AD 2009-11-07] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2502. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-202, -223, -243, -301, -322, and -342 Airplanes [Docket No.: FAA-2009-0479; Directorate Identifier 2009-NM-006-AD; Amendment 39-15918; AD 2009-11-08] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2503. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH Model EC135 Helicopters [Docket No.: FAA-2009-0482; Directorate Identifier 2008-SW-54-AD; Amendment 39-15920; AD 2009-11-10] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2504. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model MD-90-30 Airplanes [Docket No.: FAA-2009-0213; Directorate Identifier 2008-NM-224-AD; Amendment 39-15921; AD 2009-11-11] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2505. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron, Inc. Model 47, 47B, 47B3, 47D, 47D1, 47E, 47G, 47G-2, 47G-2A, 47G-2A-1, 47G-3, 47G-3B, 47G-3B-1, 47G-3B-2, 47G-3B-2A, 47G-4, 47G-4A, 47G-5, 47G-5A, 47H-1, 47J-2, 47J-2A, and 47K Helicopters [Docket No.: FAA-2009-0484; Directorate Identifier 2008-SW-44-AD; Amendment 39-15924; AD 2009-12-01] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2506. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; GROB-Werke Model G120A Airplanes [Docket No.: FAA-2009-0531; Directorate Identifier 2009-CE-030-AD; Amendment 39-15938; AD 2009-12-15] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2507. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-400 Series Airplanes [Docket No.: FAA-2009-0530; Directorate Identifier 2009-NM-079-AD; Amendment 39-15936; AD 2009-12-13] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2508. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Airplanes [Docket No.: FAA-2008-0612; Directorate Identifier 2008-NM-059-AD; Amendment 39-15931; AD 2009-12-08] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2509. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR Model ATR42-200, ATR42-300, ATR42-320, ATR42-500, ATR72-101, ATR72-201, ATR72-102, ATR72-202, ATR72-211, ATR72-212, and ATR72-212A Airplanes [Docket No.: FAA-2008-1237; Directorate Identifier 2008-NM-125-AD; Amendment 39-15932; AD 2009-12-09] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2510. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-300, -400, -500, -600, -700, -700C, -800, and -900 Series Airplanes [Docket No.: FAA-2007-0163; Directorate Identifier 2007-NM-046-AD; Amendment 39-15929; AD 2009-12-06] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2511. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-300, -400, and -500 Series Airplanes [Docket No.: FAA-2008-1364; Directorate Identifier 2008-NM-103-AD; Amendment 39-15928; AD 2009-12-05] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2512. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757-200, -200CB, and -300 Series Airplanes [Docket No.: FAA-2007-29067; Directorate Identifier 2007-NM-148-AD; Amendment 39-15926; AD 2009-12-03] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2513. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model C-212-CB, C-212-CC, C-212-CD, C-212-CE, C-212-CF, and C-212-DE Airplanes [Docket No.: FAA-2009-0005; Directorate Identifier 2008-NM-164-AD; Amendment 39-15927; AD 2009-12-04] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2514. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation AE

2100D2, AE 2100D2A, AE 2100D3, and AE 2100J Turboprop Engines [Docket No.: FAA-2009-0082; Directorate Identifier 2008-NE-42-AD; Amendment 39-15914; AD 2009-11-04] (RIN: 2120-AA64) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GORDON of Tennessee: Committee on Science and Technology. H.R. 2965. A bill to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes; with an amendment (Rept. 111–190, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCGOVERN: Committee on Rules. House Resolution 609. Resolution providing for consideration of the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111–191). Referred to the House Calendar.

Mr. POLIS: Committee on Rules. House Resolution 610. Resolution providing for consideration of the bill (H.R. 2965) to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes (Rept. 111–192). 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. RAHALL:

H.R. 3113. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Elk River in the State of West Virginia for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. CONYERS (for himself, Mr. ISSA, Mr. JOHNSON of Georgia, and Mr. SHERMAN):

H.R. 3114. A bill to authorize the Director of the United States Patent and Trademark Office to use funds made available under the Trademark Act of 1946 for patent operations in order to avoid furloughs and reductions-in-force, and for other purposes; to the Committee on the Judiciary; considered and passed.

By Mr. HODES (for himself and Ms. SHEA-PORTER):

H.R. 3115. A bill to amend the Internal Revenue Code of 1986 to provide credits to small businesses and their employees for health insurance coverage; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 3116. A bill to prohibit the Department of Homeland Security from procuring certain items directly related to the national security unless the items are grown, reprocessed, reused, or produced in the United States, and for other purposes; to the Committee on Homeland Security.

By Mr. LYNCH:

H.R. 3117. A bill to provide enhanced voucher rental assistance for residents of certain federally assisted low-income housing, and for other purposes; to the Committee on Financial Services.

By Mr. MURPHY of New York:

H.R. 3118. A bill to amend the Internal Revenue Code of 1986 to provide a 1-year extension of the making work pay credit; to the Committee on Ways and Means.

By Ms. PELOSI (for herself, Mr. BACA, Mr. BECERRA, Mr. BERMAN, Mrs. CAPPS, Mr. CARDOZA, Mr. COSTA, Mrs. DAVIS of California, Ms. ESHOO, Mr. FARR, Mr. FILNER, Ms. HARMAN, Mr. HONDA, Mr. ISSA, Ms. LEE of California, Ms. ZOE LOFGREN of California, Ms. MATSUI, Mr. MCCLINTOCK, Mr. MCNERNEY, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. NUNES, Ms. RICHARDSON, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SPEIER, Mr. STARK, Mr. THOMPSON of California, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 3119. A bill to designate the facility of the United States Postal Service located at 867 Stockton Street in San Francisco, California, as the ''Lim Poon Lee Post Office''; to the Committee on Oversight and Government Reform.

By Mr. REHBERG:

H.R. 3120. A bill to extend the Federal relationship to the Little Shell Tribe of Chippewa Indians of Montana as a distinct federally recognized Indian tribe, and for other purposes; to the Committee on Natural Resources.

By Mr. HALL of Texas (for himself, Mr. GORDON of Tennessee, Ms. GIFFORDS, and Mr. OLSON):

H. Res. 607. A resolution celebrating the Fortieth Anniversary of the Apollo 11 Moon Landing; to the Committee on Science and Technology.

By Mr. CARSON of Indiana (for himself, Mr. HILL, Mr. BURTON of Indiana, Mr. BUYER, Mr. PENCE, Mr. VISCLOSKY, Mr. DONNELLY of Indiana, Mr. SOUDER, and Mr. ELLSWORTH):

H. Res. 608. A resolution recognizing the 100th anniversary of the opening of the Indianapolis Motor Speedway; to the Committee on Oversight and Government Reform.

By Mr. HARE (for himself, Mr. DELAHUNT, Mr. HARPER, and Mr. BILBRAY):

H. Res. 611. A resolution supporting the goals and ideals of ''Fragile X Awareness Day''; to the Committee on Energy and Commerce.

By Ms. NORTON (for herself, Mr. HOYER, Mr. CANTOR, Ms. EDWARDS of Maryland, Mr. VAN HOLLEN, Mr. CUMMINGS, Mr. MORAN of Virginia, Mr. BARTLETT, Mr. CONNOLLY of Virginia, Mr. SARBANES, Mr. GOODLATTE, Mr. KRATOVIL, Mr. NYE, Mr. PERRIELLO, Mr. RUPPERSBERGER, Mr. WOLF, Mr. WITTMAN, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. ELLISON, Mr. FATTAH, Mr. AL GREEN of Texas, Ms. JACKSON-LEE of Texas, Ms. LEE of California, Mr. CLEAVER, Mrs. CHRISTENSEN, Ms. CLARKE, Ms. CORRINE BROWN of Florida, Mr. CARSON of Indiana, Mr. CLYBURN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KILPATRICK of Michigan, Mr. MEEK of Florida, Mr. MEEKS of New York, Ms. MOORE of Wisconsin, Mr. PAYNE, Ms. RICHARDSON, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. WATERS, Ms. WATSON, Mr. WATT, Mrs. SCHMIDT, Mr. RUSH, Mr. JACKSON of Illinois, Ms. FUDGE, Mr. HASTINGS of Florida, Mr. CONYERS, Mrs. CAPPS, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. BECERRA, Mr. BACA, Mr. CARDOZA, Mr. KENNEDY, Ms. ROYBAL-ALLARD, Mr. LYNCH, Mr. FOSTER, and Mr. QUIGLEY):

H. Res. 612. A resolution expressing the profound sympathies of the House of Representatives for the victims of the tragic Metrorail accident on Monday, June 22, 2009 and for their families, friends, and associates; to the Committee on Oversight and Government Reform.

By Mr. PLATTS:

H. Res. 613. A resolution supporting the goals and ideals of the Apple Crunch and the Nation's domestic apple industry; to the Committee on Oversight and Government Reform.

By Mr. QUIGLEY (for himself, Mr. FLAKE, and Mr. KIRK):

H. Res. 614. A resolution amending the Rules of the House of Representatives to prohibit earmarks to for-profit entities; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. HOLDEN introduced a bill (H.R. 3121) to authorize and request the President to award the Medal of Honor to Richard D. Winters, of Hershey, Pennsylvania, for acts of valor on June 6, 1944, in Normandy, France, while an officer in the 101st Airborne Division; which was referred to the Committee on Armed Services.

ADDITIONAL SPONSORS

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

H.R. 16: Mr. REYES.

H.R. 39: Mr. SPRATT, Ms. WATSON, Ms. WOOLSEY, Mr. CLAY, Mr. MOORE of Kansas, Mr. CONNOLLY of Virginia, Ms. LEE of California, Mr. FRANK of Massachusetts, Mr. MURPHY of Connecticut, Mrs. DAVIS of California, Mr. WU, Mr. HODES, Mr. PASTOR of Arizona, Mr. GRIJALVA, Mrs. CHRISTENSEN, Mr. NADLER of New York, Mr. ROTHMAN of New Jersey, Mr. HALL of New York, Mr. BERMAN, Mr. HOLT, and Mrs. CAPPS.

H.R. 82: Mr. MURPHY of Connecticut.

H.R. 137: Mr. POE of Texas.

H.R. 176: Ms. ZOE LOFGREN of California.

H.R. 179: Mr. BAIRD.

H.R. 265: Mr. PIERLUISI, Ms. RICHARDSON, and Mr. BLUMENAUER.

H.R. 333: Ms. KAPTUR and Mr. SIRES.

H.R. 389: Mr. BLUMENAUER.

H.R. 413: Mr. LINCOLN DIAZ-BALART of Florida, Mrs. CAPPS, Mr. BOSWELL, Mr. MEEK of Florida, Mr. MEEKS of New York, Mr. PETERSON, Mrs. NAPOLITANO, Mr. RUSH, Mr. SARBANES, Mr. TURNER, Mr. FILNER, Mr. SHERMAN, Mr. OBERSTAR, Mr. TIERNEY, Mr. KUCINICH, Mr. RUPPERSBERGER, Mr. ACKERMAN, Mr. KIND, Mr. AL GREEN of Texas, and Mr. BLUMENAUER.

H.R. 426: Ms. JACKSON-LEE of Texas.

H.R. 430: Mr. WAMP and Mr. TURNER.

H.R. 442: Mr. SMITH of Nebraska, Mrs. MCMORRIS RODGERS, and Mr. BUCHANAN.

H.R. 468: Mr. MICHAUD.

H.R. 482: Mr. TAYLOR.

H.R. 528: Mr. LEVIN.

H.R. 614: Mr. TURNER.

H.R. 622: Mr. MCCOTTER.

H.R. 635: Mr. KUCINICH and Mr. CONNOLLY of Virginia.

H.R. 658: Mr. PERRIELLO.

H.R. 690: Mr. BLUNT and Mr. DOYLE.
H.R. 697: Mr. CONNOLLY of Virginia.
H.R. 856: Mr. DANIEL E. LUNGREN of California.
H.R. 868: Mr. HALL of New York.
H.R. 874: Ms. SPEIER.
H.R. 930: Mr. MARSHALL and Mr. BERMAN.
H.R. 936: Mr. ROE of Tennessee.
H.R. 949: Ms. LINDA T. SÁNCHEZ of California.
H.R. 950: Ms. ZOE LOFGREN of California.
H.R. 953: Mr. TURNER.
H.R. 981: Mr. BLUMENAUER.
H.R. 1030: Mr. ROTHMAN of New Jersey.
H.R. 1064: Mr. BOCCIERI and Mr. SPACE.
H.R. 1103: Mr. MEEK of Florida.
H.R. 1126: Mr. UPTON and Mr. THOMPSON of California.
H.R. 1135: Mr. PASTOR of Arizona.
H.R. 1142: Mr. OLVER.
H.R. 1150: Mr. COHEN.
H.R. 1177: Mr. WOLF.
H.R. 1197: Ms. CORRINE BROWN of Florida.
H.R. 1207: Ms. ZOE LOFGREN of California, Mr. CHANDLER, Ms. HARMAN, Mr. MURPHY of Connecticut, and Mr. GALLEGLY.
H.R. 1210: Mr. ROTHMAN of New Jersey.
H.R. 1213: Mr. ROTHMAN of New Jersey.
H.R. 1215: Mr. MCGOVERN and Ms. JACKSON-LEE of Texas.
H.R. 1255: Mr. Fleming, Mr. SESSIONS, Mr. CLAY, and Mr. CARNAHAN.
H.R. 1293: Mr. WALZ.
H.R. 1324: Mr. SHULER, Mr. MARSHALL, Ms. ZOE LOFGREN of California, and Mr. CAPUANO.
H.R. 1392: Mr. DENT.
H.R. 1428: Mr. GRIJALVA, Mr. THOMPSON of California, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. ROTHMAN of New Jersey, Mr. MASSA, Mr. MCNERNEY, and Mr. ELLISON.
H.R. 1443: Mr. DOYLE.
H.R. 1454: Mr. SNYDER.
H.R. 1460: Ms. ROYBAL-ALLARD.
H.R. 1472: Mr. MCCOTTER.
H.R. 1485: Mr. BAIRD.
H.R. 1503: Mr. POE of Texas and Mr. BURTON of Indiana.
H.R. 1521: Mr. LINCOLN DIAZ-BALART of Florida, Mr. WAMP, Mr. BUYER, Mr. DOYLE, Mr. SULLIVAN, and Mr. INSLEE.
H.R. 1526: Mr. ROSS, Mr. EHLERS, Mr. DICKS, Mr. SIRES, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. LANCE, and Mr. ROTHMAN of New Jersey.
H.R. 1528: Ms. WATERS and Mr. TANNER.
H.R. 1530: Mr. RUSH, Ms. WATERS, and Mr. TANNER.
H.R. 1531: Mr. RUSH, Mr. TANNER, and Ms. WATERS.
H.R. 1546: Mrs. NAPOLITANO.
H.R. 1547: Mr. BARROW and Ms. ZOE LOFGREN of California.
H.R. 1548: Mr. BACA, Ms. RICHARDSON, Mr. ROSKAM, and Mr. GRIFFITH.
H.R. 1552: Mr. BRIGHT.
H.R. 1557: Mr. LANCE.
H.R. 1636: Mr. BLUMENAUER.
H.R. 1675: Ms. ZOE LOFGREN of California.
H.R. 1681: Mr. TANNER.
H.R. 1685: Ms. MATSUI.
H.R. 1691: Mr. MCMAHON.
H.R. 1707: Mr. WAMP.
H.R. 1708: Mr. MARSHALL.
H.R. 1775: Mr. COHEN.
H.R. 1816: Mr. KIRK.
H.R. 1835: Mr. KISSELL and Mr. DAVIS of Tennessee.
H.R. 1844: Ms. CLARKE and Mr. MCCOTTER.
H.R. 1866: Mr. KUCINICH.
H.R. 1881: Mr. CUELLAR and Ms. PINGREE of Maine.
H.R. 1894: Mr. MEEK of Florida.
H.R. 1928: Mr. MICHAUD.
H.R. 1933: Mr. POE of Texas.
H.R. 1956: Mr. CAPUANO.
H.R. 1969: Mr. GARRETT of New Jersey.
H.R. 1977: Mr. POE of Texas.
H.R. 1992: Mr. FILNER.
H.R. 2006: Mr. BLUMENAUER, Mr. FILNER, and Mr. CARSON of Indiana.
H.R. 2026: Mr. SCALISE.
H.R. 2035: Mr. LANGEVIN.
H.R. 2058: Mr. MCINTYRE.
H.R. 2061: Mr. HALL of Texas.
H.R. 2084: Mr. CRENSHAW, Mr. MASSA, and Mr. ROTHMAN of New Jersey.
H.R. 2113: Mr. AL GREEN of Texas.
H.R. 2139: Mrs. MYRICK, Mr. CARSON of Indiana, Mr. PETERSON, Mr. GEORGE MILLER of California, Mr. FOSTER, Mr. LEVIN, Mr. REICHERT, Mr. MASSA, Mr. CAPUANO, and Mr. CONYERS.
H.R. 2149: Mrs. CAPPS, Mr. HIMES, Ms. CLARKE, and Mr. BLUMENAUER.
H.R. 2160: Mr. HONDA, Mr. WELCH, Mr. ARCURI, Mr. AKIN, Mr. MCCOTTER, and Mr. MELANCON.
H.R. 2190: Mr. DOGGETT.
H.R. 2194: Mr. JOHNSON of Georgia, Mr. WELCH, Mr. MCCARTHY of California, Mr. CONAWAY, Mr. HENSARLING, Ms. LORETTA SANCHEZ of California, Mr. ISRAEL, Mr. SALAZAR, Mr. MARIO DIAZ-BALART of Florida, Mr. WOLF, Mr. SIMPSON, Mr. HERGER, Mr. WESTMORELAND, Mr. BILBRAY, Mrs. MALONEY, Mrs. HALVORSON, Mr. HASTINGS of Washington, Mr. COBLE, Mr. CARNAHAN, and Mr. POLIS.
H.R. 2209: Mr. BLUMENAUER.
H.R. 2222: Mr. RYAN of Ohio.
H.R. 2223: Mr. PAYNE.
H.R. 2239: Mr. JOHNSON of Georgia.
H.R. 2243: Mr. BILBRAY and Mr. WITTMAN.
H.R. 2246: Mr. KING of New York.
H.R. 2254: Mr. BONNER, Mr. MURPHY of New York, Mr. TONKO, Mr. BISHOP of New York, Mr. MITCHELL, Mr. MARIO DIAZ-BALART of Florida, Mr. TEAGUE, Mr. HARE, Mr. WOLF, Mr. BLUMENAUER, and Mr. JACKSON of Illinois.
H.R. 2266: Mr. HODES and Mr. TOWNS.
H.R. 2267: Mr. HODES and Mr. TOWNS.
H.R. 2268: Mr. BLUMENAUER.
H.R. 2269: Mr. CONNOLLY of Virginia.
H.R. 2296: Mr. BUCHANAN, Mr. PLATTS, Ms. FOXX, Mr. BLUNT, Mr. RAHALL, Mr. MURTHA, Mr. COLE, Mr. BARROW, and Mr. MARSHALL.
H.R. 2329: Mr. HONDA, Ms. JACKSON-LEE of Texas, and Mr. YOUNG of Alaska.
H.R. 2339: Ms. NORTON.
H.R. 2368: Mr. PETRI.
H.R. 2373: Mr. WAMP, Mrs. BLACKBURN, Mr. COHEN, Mr. POE of Texas, and Mr. LATOURETTE.
H.R. 2378: Mrs. DAHLKEMPER, Mr. BACA, Ms. RICHARDSON, and Mr. DOYLE.
H.R. 2381: Mrs. MCCARTHY of New York.
H.R. 2390: Mr. HOLT.
H.R. 2418: Mrs. NAPOLITANO, Mr. CUMMINGS, and Mr. GENE GREEN of Texas.
H.R. 2427: Mr. HOLT and Mr. KENNEDY.
H.R. 2452: Mr. GOODLATTE.
H.R. 2478: Mr. JACKSON of Illinois, Mrs. MYRICK, Mr. SHERMAN, Mr. CAPUANO, Mr. CONYERS, Mr. WILSON of South Carolina, Mr. SOUDER, Mr. BLUMENAUER, Mr. HUNTER, Mrs. NAPOLITANO, and Mr. CONNOLLY of Virginia.
H.R. 2492: Mr. FILNER, Mr. PAUL, and Mr. MARSHALL.
H.R. 2499: Mr. THOMPSON of California, Mr. WAMP, Mr. KLINE of Minnesota, and Mr. SCHIFF.
H.R. 2516: Mr. LEE of New York.
H.R. 2517: Ms. GIFFORDS.
H.R. 2519: Mr. MCMAHON.
H.R. 2523: Mr. HONDA.
H.R. 2538: Mr. MASSA and Ms. CORRINE BROWN of Florida.
H.R. 2542: Mr. NUNES.
H.R. 2560: Mr. BLUMENAUER.
H.R. 2567: Mr. CARNAHAN.
H.R. 2570: Mr. KUCINICH.
H.R. 2596: Mr. BRALEY of Iowa.
H.R. 2597: Mr. SARBANES, Mrs. MCCARTHY of New York, and Mr. SESTAK.
H.R. 2625: Ms. ZOE LOFGREN of California, Mr. KUCINICH, and Mr. VAN HOLLEN.
H.R. 2632: Mr. PETERSON.
H.R. 2648: Ms. SCHAKOWSKY.
H.R. 2669: Mr. FILNER.
H.R. 2676: Ms. KOSMAS.
H.R. 2681: Mr. HONDA.
H.R. 2685: Mr. HOLT.
H.R. 2697: Mr. MICHAUD and Mr. TONKO.
H.R. 2702: Mr. POE of Texas.
H.R. 2724: Mr. AL GREEN of Texas.
H.R. 2738: Mr. RODRIGUEZ.
H.R. 2746: Mr. BARROW, Mr. LEWIS of Georgia, Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. MCGOVERN, and Ms. ZOE LOFGREN of California.
H.R. 2752: Mr. POE of Texas.
H.R. 2770: Mr. PETERSON.
H.R. 2777: Ms. KAPTUR.
H.R. 2799: Mr. HINCHEY.
H.R. 2801: Ms. JACKSON-LEE of Texas.
H.R. 2810: Mr. KISSELL.
H.R. 2828: Mr. WITTMAN.
H.R. 2845: Mr. OLSON, Mr. SOUDER, and Mr. CONAWAY.
H.R. 2846: Mr. YOUNG of Alaska.
H.R. 2859: Mr. BRADY of Pennsylvania.
H.R. 2861: Mr. HINCHEY.
H.R. 2866: Mr. HOLT, Mr. PALLONE, Ms. CORRINE BROWN of Florida, and Mr. BLUMENAUER.
H.R. 2876: Mr. WELCH.
H.R. 2900: Mr. CONAWAY, Mrs. BLACKBURN, Mr. AKIN, and Mr. RADANOVICH.
H.R. 2902: Ms. JACKSON-LEE of Texas.
H.R. 2909: Mr. KUCINICH and Mr. JOHNSON of Georgia.
H.R. 2914: Mr. PITTS, Mr. HOEKSTRA, Mr. BURTON of Indiana, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. WEINER.
H.R. 2920: Mr. DEFAZIO, Mr. CAPUANO, Mr. HOLT, and Mr. YARMUTH.
H.R. 2941: Mr. TIERNEY and Mr. KENNEDY.
H.R. 2943: Mr. GEORGE MILLER of California and Mr. KUCINICH.
H.R. 2964: Mrs. LUMMIS, Mr. FLEMING, and Mr. MASSA.
H.R. 2980: Mr. MICHAUD.
H.R. 2995: Mr. ALEXANDER.
H.R. 2999: Ms. GIFFORDS.
H.R. 3001: Mr. SERRANO and Mr. HOLT.
H.R. 3006: Mr. BOUCHER.
H.R. 3011: Mr. GARRETT of New Jersey, Mr. COSTELLO, and Mr. DAVIS of Alabama.
H.R. 3012: Mr. FATTAH, Mr. BOUCHER, and Ms. VELÁZQUEZ.
H.R. 3017: Mr. GRAYSON, Mr. LUJÁN, Mr. OBERSTAR, Mr. CONNOLLY of Virginia, and Mr. KENNEDY.
H.R. 3020: Mr. MINNICK.
H.R. 3025: Mr. CHANDLER and Mr. MARSHALL.
H.R. 3042: Mr. HASTINGS of Florida, Mr. MICHAUD, Ms. MOORE of Wisconsin, Ms. SUTTON, Mr. SCHAUER, Mr. MASSA, Mr. FILNER, Mr. TIERNEY, Mr. KILDEE, Ms. SHEA-PORTER, and Mr. GUTIERREZ.
H.R. 3047: Ms. BALDWIN, Mr. DAVIS of Illinois, Ms. NORTON, and Mr. CONYERS.
H.R. 3050: Mr. WOLF and Mr. PERRIELLO.
H.R. 3053: Ms. LEE of California.
H.R. 3068: Mr. FATTAH.
H.R. 3074: Mr. WALZ, Mr. OBERSTAR, Mr. PETERSON, Mr. BRALEY of Iowa, and Mr. LOEBSACK.
H.R. 3086: Mr. FALEOMAVAEGA.
H.R. 3088: Mr. BISHOP of New York.
H.R. 3090: Mr. KENNEDY and Mrs. NAPOLITANO.
H.J. Res. 47: Mr. WITTMAN and Mrs. HALVORSON.
H. Con. Res. 16: Mr. POE of Texas.
H. Con. Res. 74: Mr. OLVER.
H. Con. Res. 94: Mr. JONES, Mr. FILNER, Mr. KIRK, Mr. GRIJALVA, Mr. REICHERT, Mr. HINCHEY, Mr. ROGERS of Kentucky, Mr. MORAN of Virginia, Mr. WHITFIELD, Ms. LEE of California, Mr. GUTHRIE, Mr. ELLISON, Mr. SHIMKUS, Ms. SCHAKOWSKY, Mr. BOUSTANY, Mr. FATTAH, Mr. BRADY of Texas, Mr. MARKEY of Massachusetts, Mr. CAMP, Mr.

KUCINICH, Mr. CONAWAY, Ms. JACKSON-LEE of Texas, Mr. CAO, Mr. MASSA, and Mr. WU.

H. Con. Res. 117: Mr. ADERHOLT, Mr. MCCAUL, and Ms. JACKSON-LEE of Texas.

H. Con. Res. 144: Mr. ETHERIDGE, Mr. SERRANO, Mr. HODES, Mrs. MALONEY, Ms. NORTON, Mr. CHILDERS, Mr. HINCHEY, Mr. RANGEL, Mr. CASTLE, Mr. SALAZAR, and Ms. JACKSON-LEE of Texas.

H. Con. Res. 152: Mr. AL GREEN of Texas.

H. Con. Res. 156: Mr. ROYCE, Mr. SMITH of New Jersey, Mr. COBLE, Mr. ROHRABACHER, and Mr. TOWNS.

H. Con. Res. 158: Ms. MATSUI, Mr. SESTAK, Mr. MINNICK, Mr. LEWIS of Georgia, Mr. MASSA, Mr. GUTIERREZ, Mr. MARKEY of Massachusetts, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Mr. CAO, Mr. BUTTERFIELD, Mr. MEEK of Florida, Mr. HINOJOSA, and Mr. SHULER.

H. Con. Res. 159: Mr. CAPUANO and Mr. HERGER.

H. Res. 69: Mr. SMITH of Texas.

H. Res. 90: Mr. KUCINICH.

H. Res. 111: Mr. CAMPBELL, Mrs. HALVORSON, Mr. OLVER, and Mr. WILSON of Ohio.

H. Res. 130: Mr. MCNERNEY.

H. Res. 271: Mr. HOLT.

H. Res. 278: Ms. KAPTUR.

H. Res. 362: Mr. PAYNE.

H. Res. 394: Mr. BONNER.

H. Res. 409: Ms. CORRINE BROWN of Florida.

H. Res. 416: Mr. STARK, Mr. CLAY, Mr. COHEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. CLARKE, and Mr. ELLISON.

H. Res. 461: Mr. STARK.

H. Res. 494: Mr. TANNER and Mr. DUNCAN.

H. Res. 496: Mr. ROHRABACHER.

H. Res. 507: Mr. RADANOVICH and Mr. SCALISE.

H. Res. 554: Mr. PAULSEN and Mr. WALDEN.

H. Res. 577: Mrs. BLACKBURN, Mr. FLEMING, and Mr. MORAN of Virginia.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The Manager's Amendment to be offered by Chairman REYES, or a designee, to H.R. 2701, the Intelligence Authorization Act for Fiscal Year 300, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits, as defined in clause 9 of Rule XXI.

The amendment to be offered by Representative VELÁZQUEZ, or a designee, to H.R. 2965, the Enhancing Small Business Research and Innovation Act of 2009, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of Rule XXI.

The amendment to be offered by Representative DELAURO, or a designee, to H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f) or 9(g) or rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, TUESDAY, JULY 7, 2009 No. 100

Senate

The Senate met at 10 a.m. and was called to order by the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois.

PRAYER

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

Let us pray.

Eternal God, before You nations rise and fall; they grow strong or wither by Your design. Help our Nation to embrace righteousness and to strive for unity and renewal.

Lord, hasten the coming of Your kingdom, where pain, tears, and death will be no more. May America's example of right living prompt the world's nations to gather in the light of Your presence. Teach all nations the way of peace so we may plow up battlefields and pound weapons into liberation tools. Teach us to talk across boundaries as brothers and sisters, united by Your love. Today, help our Senators and all who labor with them to work with a renewed sense of their accountability to You.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROLAND W. BURRIS led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 7, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BURRIS 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. Following the remarks of the two leaders, the Senate will proceed to a period of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the second half. Following morning business, the Senate will begin consideration of H.R. 2892, the Homeland Security Appropriations Act.

Around 12:15 today, Senator-elect AL FRANKEN will be sworn in to be U.S. Senator from the State of Minnesota. At 12:30, the Senate will recess to allow for the weekly caucus luncheons. Senators should expect rollcall votes throughout the day as we consider the Homeland Security Appropriations bill.

Prior to leaving that subject, I hope Senators will be ready to offer amendments. We have a rule XVI, but this is a wide jurisdiction bill. There should be lots of opportunity for people to offer amendments. I hope they would consider doing their amendments as soon as possible. We are not going to spend day after day on this bill. We need to move appropriations bills as quickly as we can. I want people to have the opportunity to offer amendments. We will be happy to look at time agreements if that is appropriate. Without any preconditions, let's move to this bill and get it done as quickly as possible.

MEASURE PLACED ON THE CALENDAR—H.R. 2454

Mr. REID. Mr. President, H.R. 2454 is at the desk. It is my understanding it is due for a second reading.

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

The legislative clerk read as follows:

A bill (H.R. 2454) to create clean energy jobs, achieve energy independence, reduce global warming pollution and transition to a clean energy economy.

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

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the Calendar pursuant to rule XIV.

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. I thank the Chair.

RECOGNITION OF THE MINORITY LEADER

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

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

Printed on recycled paper.

HEALTH CARE WEEK V, DAY II

Mr. McCONNELL. Mr. President, the American people want health care reform. There is no question about that. But they have serious concerns about some of the proposals coming out of Washington, concerns that I have outlined on the Senate floor over the past few weeks. And Americans are also increasingly concerned about the way these proposals are being sold. Specifically, they are concerned that the same mistakes that were made on the economic stimulus bill are about to be made again—only this time, those mistakes would be all but permanent and would directly affect every single American family.

Here is what they are concerned about:

Earlier this year, advocates of the stimulus said that the bill had to pass right away, with minimal scrutiny and minimal bipartisan support. They gave the American people less than 24 hours to review one of the costliest pieces of legislation in history, and then they hoped for a good result. The reason for the rush is clear. Proponents of the stimulus were concerned that public support would start to fade if people got a closer look at the details. So they short-changed the debate and overpromised on results. And now their predictions are coming back to bite them.

Here is what they said at the time.

They said that if the stimulus passed, unemployment wouldn't rise above 8 percent. Unemployment is now approaching 10 percent. They said the stimulus was necessary to jumpstart the economy. Yet now, with about a half million jobs lost every month, they have started to admit that they simply ''misread'' the economy.

These were costly mistakes, and we can't take them back.

But we can prevent these same kinds of mistakes on health care. If the stimulus taught us anything it is that Americans should be skeptical any time someone in Washington rushes them into a major purchase with taxpayer dollars. We would walk away from any car salesman who tried to rush us into buying a car—even if it was a cheap one.

We should be just as skeptical of a lawmaker who tries to do the same thing with our tax dollars and trillions in borrowed money. And now that Americans are hearing the same kinds of arguments about health care that we heard about the stimulus, the taxpayer antenna should begin to go up.

Now it is time for advocates of a government-run health plan to actually take the time to determine what reforms will actually save us money and increase access to care while preserving the things people like about our system.

Taking time may be frustrating to those who want to rush a health care bill through Congress before their constituents have a chance to see what they are buying. But the fact that the public is increasingly concerned about government-run health care isn't reason to rush. It is reason to take the time we need to get it right—and to make a serious effort to get members of both parties to work out reforms that a bipartisan majority can agree to, several of which I have enumerated many times already on the Senate floor.

We should reform our medical liability laws to discourage junk lawsuits and bring down the cost of care; we should encourage wellness and prevention programs that have been successful in cutting costs; we should encourage competition in the private insurance market; and we should address the needs of small businesses without creating new taxes that kill jobs.

Advocates of government health care should also be exceedingly cautious about the predictions they make this time around. We already know that many of the promises that are being made about a government-run health plan are unrealistic—such as the claim that everyone who likes the insurance they have will be able to keep it and that the cost of such health care proposals won't add to the national debt.

As Democrats rushed the stimulus funds out the door, they also predicted it wouldn't be wasted. Yet every day we hear about another outrageous project that it is being used to fund. I have listed some of these projects in previous floor remarks, such as a $3.4 million turtle tunnel in Florida. Americans struggling to hold onto their homes and their jobs want to know why their tax dollars are being spent on such wasteful and needless projects.

Americans were overpromised on the stimulus. This time they want the facts.

Soon, the Government Accountability Office will issue a report that gives us an even greater sense of the problems with the stimulus. I am concerned that this report provide an even clearer accounting of the mistakes that were made with that bill—and the flawed manner in which it was sold to the American people.

Americans who are now waking up to headlines about the problems with the stimulus don't want to be told a few months from now that the people who sold them a government-run health care system misread the state of our health care industry, or that the health care plan they are proposing was based on faulty assumptions.

Americans don't want to wake up a few years from now with their families enrolled in a government-run health care system because some here in Washington decided to rush and spend a trillion dollars and let the chips fall where they may.

The American people don't want us to rush through a misguided plan that pushes them off of their health insurance and onto a government plan that denies, delays, and rations care. On the stimulus, Americans saw what happens when Democrats rush and spend. When it comes to health care, they are demanding we take the time to get it right.

SOTOMAYOR NOMINATION

Mr. McCONNELL. Mr. President, last week, the Supreme Court decided the case of Ricci v. DeStefano in which it ruled that the city of New Haven, CT, unlawfully discriminated against a number of mostly White firefighters by throwing out a standardized employment promotion test because some minority firefighters had not performed as well as they had.

In this case, the Supreme Court was correct in my view. The government should not be allowed to discriminate intentionally on the basis of race on the grounds that a race-neutral, standardized test—which is administered in a racially neutral fashion—results in some races not performing as well as others.

Yet regardless of where one comes out on this question, there are at least two aspects of how all nine Justices handled this very important case that stand in stark contrast to how Judge Sotomayor and her panel on the Second Circuit handled it—and which call into question Judge Sotomayor's judgment.

First, this case involves complex questions of Federal employment law; namely, the tension between the law's protection from intentional discrimination—known as ''disparate treatment'' discrimination—and the law's protection from less overt forms of discrimination, known as ''disparate impact'' discrimination.

It also involves important constitutional questions—such as whether the government, consistent with the 14th amendment's guarantee of equal protection under the law, may intentionally discriminate against some of its citizens in the name of avoiding possible discriminatory results against other of its citizens.

Every court involved in this case realized that it involved complex questions that warranted thorough treatment—every court, that is, except for Judge Sotomayor's panel. The district court, which first took up the case, spent 48 pages wrestling with these issues. The Supreme Court devoted 93 pages to analyzing them. By contrast, Judge Sotomayor's panel dismissed the firefighters' claims in just 6 sentences—a treatment that her colleague and fellow Clinton appointee, Jose Cabranes, called ''remarkable,'' ''perfunctory,'' and not worthy ''of the weighty issues presented by'' the firefighters' appeal.

It would be one thing if the Ricci case presented simple issues that were answered simply by applying clear precedent. But the Supreme Court doesn't take simple cases. And at any rate, no one buys that this case was squarely governed by precedent, not even Judge Sotomayor.

We know this because in perfunctorily dismissing the firefighters'

claims, Judge Sotomayor did not even cite a precedent.

Moreover, she herself joined an en banc opinion of the Second Circuit that said the issues in the case were ''difficult.'' So, to quote the National Journal's Stuart Taylor, the way Judge Sotomayor handled the important legal issues involved in this case was ''peculiar'' to say the least. And it makes one wonder why her treatment of these weighty issues differed so markedly from the way every other court has treated them and whether her legal judgment was unduly affected by her personal or political beliefs.

Second, all nine Justices on the Supreme Court said that Judge Sotomayor got the law wrong. She ruled that the government can intentionally discriminate against one group on the basis of race if it dislikes the outcome of a race-neutral exam and claims that another group may sue it. Or, as Judge Cabranes put it, under her approach, employers can ''reject the results of an employment examination whenever those results failed to yield a desired racial outcome, i.e., failed to satisfy a racial quota.''

No one on the Supreme Court, not even the dissenters, thought that was a correct reading of the law.

Justice Kennedy's majority opinion said that before it can intentionally discriminate on the basis of race in an employment matter, the government must have a ''strong basis in evidence'' that it could lose a lawsuit by a disgruntled party claiming a discriminatory effect of an employment decision. And even Justice Ginsburg and the dissenters said that before it intentionally discriminates, the government must have at least ''good cause'' to believe that it could lose a lawsuit by the disgruntled party.

Not Judge Sotomayor. She evidently believes that statistics alone allow the government to intentionally discriminate against one group in favor of another if it claims to fear a lawsuit.

Stuart Taylor notes why this is problematic. As he put it, the Sotomayor approach would, ''risk converting'' Federal antidiscrimination ''law into an engine of overt discrimination against high-scoring groups across the country and allow racial politics and racial quotas to masquerade as voluntary compliance with the law.'' Under such a regime, Taylor notes, ''no employer could ever safely proceed with promotions based on any test on which minorities fared badly.''

It is one thing to get the law wrong, but Judge Sotomayor got the law really wrong in the Ricci case, and the New Haven firefighters suffered for it. To add insult to injury, the perfunctory way in which she treated their case indicates either that she did not really care about their claims, or that she let her own experiences planning and overseeing these types of lawsuits with the Puerto Rican Legal Defense and Education Fund affect her judgment in this case.

As has been reported, before she was on the bench, Judge Sotomayor was in leadership positions with PRLDEF for over a decade. While there, she monitored the group's lawsuits and was described as an ''ardent supporter'' of its litigation projects, one of the most important of which was a plan to sue cities based on their use of civil service exams. In fact, she has been credited with helping develop the group's policy of challenging these types of standardized tests.

Is the way Judge Sotomayor treated the firefighters' claims in the Ricci case what President Obama means when he says he wants judges who can ''empathize'' with certain groups? Is this why Judge Sotomayor herself said she doubted that judges can be impartial, ''even in most cases''? It is a troubling philosophy for any judge, let alone one nominated to our highest court, to convert ''empathy'' into favoritism for particular groups.

The Ricci decision is the tenth of Judge Sotomayor's cases that the Supreme Court has reviewed. And it is the ninth time out of ten that the Supreme Court has disagreed with her. In fact, she is 0 for 3 during the Supreme Court's last term.

The President says that only 5 percent of cases that Federal judges decide really matter. I do not know if he is right. But I do know that, by necessity, the Supreme Court only takes a small number of cases, and it only takes cases that matter. And I know that in the Supreme Court, Judge Sotomayor's been wrong 90 percent of the time.

In the Ricci case, her third and final reversal of this term, Judge Sotomayor was so wrong in interpreting the law that all nine justices, of all ideological stripes, disagreed with her. As we consider her nomination to the Supreme Court, my colleagues should ask themselves this important question: is she allowing her personal or political agenda to cloud her judgment and favor one group of individuals over another, irrespective of what the law says?

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 1 hour, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half, with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

SOTOMAYOR NOMINATION

Mr. DURBIN. Mr. President, Republican Senate leader Senator MCCONNELL has just completed his leadership statement. I would like to respond to two or three of his points.

I am not surprised that he opposes Sonya Sotomayor, the President's nominee to the Supreme Court. He has stated that earlier, that he does not believe she should take this important position. I disagree. Sonya Sotomayor comes to us having first been nominated for a Federal judgeship under Republican President George H.W. Bush and then was nominated for a promotion to the circuit level, the next higher bench, by President Clinton. So she has enjoyed bipartisan support in her judicial career. In fact, she brings more experience on the bench to the Supreme Court if she wins the nomination, if it is approved by the Senate, than any nominee in modern memory. So there is no question she was qualified both under a Republican President and a Democratic President. Now she brings that accumulated experience in this effort to be part of the Supreme Court.

I have met her. She has met personally with over 80 Senators and talked to them, answering every question they had about her background, her approach to the law. She is an outstanding candidate.

Her life story is one that is inspiring to all. She was raised in public housing in the Bronx, NY. There has been some mention of the fact that she was a volunteer attorney for the Puerto Rican Legal Defense Fund. It is a fact that she is of Puerto Rican national descent. When she was 9 years old, her father passed away. Her mother, a very strong-willed and energetic person, raised her and her brother. Her brother is a medical doctor. She is an accomplished attorney. She went to Princeton University and graduated with one of the highest academic honors and then went on to Yale Law School, where she also was acknowledged as being one of the most outstanding law students in her class.

This is a person who comes to this job with a resume that, as a lawyer myself, I look at with a great deal of envy. She is an extraordinarily gifted person. There could be questions raised about any judge's ruling on any case. But the fact is, I believe she has a record that is unparalleled in terms of judicial experience. So I hope those who listened to Senator MCCONNELL's remarks will also reflect on the fact that Judge Sotomayor is an extraordinarily talented and gifted person. If Senator MCCONNELL is going to oppose her nomination—it sounds as if he will—I hope some on his side of the aisle will join us in a bipartisan effort to make her part of the U.S. Supreme Court.

THE ECONOMY FIT

Mr. DURBIN. Senator MCCONNELL was also critical of President Obama, the President's attempt to deal with the economy he inherited from the previous President. The economy was in

the worst shape we have seen it since the Great Depression when President Obama was sworn into office. It was not, as he said, his choice to face that kind of an issue or challenge, but it was the reality of what he faced. He did the right thing. He said: I am not going to stand idly by and observe this economy continue to decline, with more and more people facing unemployment, businesses failing, and people losing their savings. I am going to step up and try to create jobs, save and create jobs here in America so that we do not see more people in the unemployment lines.

I supported that. Luckily, three Republican Senators at the time joined us; otherwise, we could not have passed it. So we had a bipartisan vote supporting President Obama's recovery and reinvestment package. Senator MCCONNELL, the Republican leader, opposed it. He came to the floor today to say that we wasted our money on this stimulus package and that we should be very skeptical of these things. The fact is, the Republicans in the Senate had nothing to offer as an alternative. Their alternative was to stand idly by and watch the economy continue to descend, continue to deteriorate, and maybe with a little prayer and hope that it would turn around. That is not good enough.

President Obama said: Let's first, in this stimulus package, take at least 40 percent of all of the funds I am asking for and give it back to Americans in tax breaks for working families. Families need a helping hand, the President said. I voted for that. I think that was sensible. The President made that decision. Senator MCCONNELL thinks that is wasteful, to give tax breaks to working families—at least he said it was wasted. I do not believe it is wasteful. It is a good thing to do to try to revitalize the country.

The President said: Let's invest in what will pay off for a long time to come. Let's put money into infrastructure, let's build that which will serve our economy and serve America, and let's create good-paying jobs to do it. I thought that was sensible.

The President said: Let's look to the next generation of needs in America. Let's make sure we are investing in energy projects which will pay back in years to come and lessen our dependence on foreign energy sources—another good investment from where I am sitting.

He also said: Give a helping hand to those unemployed, a little extra money for them each month to get by. It was not a lot, but for many families it made a difference.

He also said: Give the unemployed a helping hand so they can keep their health insurance. If you lose a job, you lose your health insurance. Think about that if you are trying to raise a family. The President said: Let's try to reduce the premiums unemployed people will pay.

Now Senator MCCONNELL comes to the floor and said this was a waste of time and a waste of money for us to make that kind of investment in America. I believe the President did the right thing. I would commend to Senator MCCONNELL, the Republican leader, the latest Pew Poll, which shows that when Americans were asked if America's economy is on the right track or wrong track, they have come in with the highest number—53 percent on the right track, 39 percent on the wrong track—we have seen in months. There is a feeling that we still have a long way to go. There are still too many people unemployed, too many businesses failing. But at least we are on the right track toward recovery. It may take some time. Nobody predicted this would be fast or easy. But the President showed leadership, inheriting a bad economy and showing leadership to deal with it.

HEALTH CARE

Mr. DURBIN. The major thrust of the remarks of the Senate Republican leader, day after day, has been in opposition to health care reform. I will tell you that I think the Republican leader is out of step with America. America understands we need to do something about our health care system. We are spending twice as much per person for health care in America as any nation on Earth—twice as much—and the medical outcomes, unfortunately, do not reflect that kind of major investment. In other words, we are wasting money in our current health care system.

That has to change. So what we need to do is preserve those things in our health care system today that are good and fix the things that are broken, and that is what the President has challenged us to do. This is not something new. This challenge has been waiting for 15 years since former President Clinton tackled it and, unfortunately, could not pass it. We have seen our health care costs in America continue to skyrocket and our costs for health insurance following in track. Now we have to do something about it.

Time and again, the Senator from Kentucky comes to the floor and says: We are rushing into this. I would just say to him that in the year 2008 the Senate Finance Committee, under Chairman MAX BAUCUS, held 10 hearings on health reform and a day-long bipartisan summit with the Finance Committee's ranking member, Republican CHUCK GRASSLEY. This year, the Finance Committee has held two reform-related hearings, three roundtabless, three walk-throughs with policy options, and a number of closed-door sessions to discuss all of the issues on a bipartisan basis. The HELP Committee, which is another committee of the Senate also considering health care reform, has held 14 bipartisan roundtabless, 13 committee hearings, and 20 walk-throughs. Democrats are not rushing this through. We have taken this up in an orderly way, trying to analyze one of the most significant challenges ever facing Congress.

Time and again, Senator MCCONNELL has also come to the floor and argued that Americans should be afraid of change, be afraid, be very afraid. He argued before be afraid of closing Guantanamo; now he is saying be afraid of health care reform. This is not a fearful nation. We are a nation which accepts challenges and does our best to try to find solutions. We are a good and caring nation of people who want to make certain that, at end of the day, we reduce the cost of health care for everyone, bringing it more in line with efficiency and effective medical care, and we also pick up the 50 million Americans who have no health insurance and give them protection, bring them under the umbrella of protection. We should not be afraid of that challenge. Why would we be afraid? We know if we don't tackle it, it will continue to cost us more and more money.

One of the things the Senator from Kentucky says repeatedly, which is just plain wrong, is that under the proposals coming before the Senate, the government can take away health insurance people have today. I am sorry the Senator is not on the floor. I am sure some Members of his staff will alert him to the fact. I would like to read from the language from the HELP Committee bill which is presently being considered. This language makes it abundantly clear,—in fact, says directly—that we can keep our health care plans, that they would not be taken away. That is something most Americans want to have the benefit of. Let me read from the HELP Committee bill that will be considered by the Senate:

> Nothing in this Act or an amendment made to this Act shall be construed to require that an individual terminate coverage under a group health plan or health insurance coverage in which such individual was enrolled prior to the date of enactment of this title.

That is what it says. If one likes their health insurance today, nothing we do in health care reform will take that way from them. It is expressly stated. Time and again, Senator MCCONNELL comes to the floor and says the opposite: Government is going to take away your health insurance. The clear language of the bill says: No, that is not our intention. That is not what we are going to do.

I am also concerned when I listen to the Senator from Kentucky talk about government-run health care. He says it in negative terms, as if the government's involvement in health insurance and medical care is inherently wrong or misguided or ineffective. Here are the realities: 45 million Americans out of 300 million currently are covered by Medicare. Does the Senator from Kentucky want to eliminate Medicare, a government-run health care plan? I am waiting for him to say that. He has never said it. Another 60 million Americans are under Medicaid, which provides health insurance for the poorest

among us and those who are disabled. So 105 million Americans today have either Medicare or Medicaid. That is a third of America being covered by government-run health care. That is a reality. Most Americans understand there are very positive things to be said for those plans. Would we do without Medicare; would we abolish it? I certainly wouldn't be part of that. In over 40 years, Medicare has brought peace of mind, dignity, and great medical care to millions of seniors across America. I wouldn't want to see that go away. I think it is a program that has served us well.

A question was asked recently by CNN: In general, would you favor or oppose a program that would increase the Federal Government's influence over the country's health care system in an attempt to lower costs and provide health care coverage to more Americans? The numbers that came back on May 15, by CNN: 69 percent of the American people favor that statement, favor more government involvement in health care to reduce cost and expand coverage. Only 29 percent oppose. The position argued by the Republican leader does not reflect America's feelings about health care.

If Senator MCCONNELL feels the current health care system is fine and we should not work to change it, he does not, I am afraid, reflect the feelings of most Americans. We can do better. We need to do better on a bipartisan basis. We need cooperation on the Republican side of the aisle in a bipartisan effort to find real solutions, compromise that would not compromise the values of our American health care system but give people a health care program that would not be taken away from them by some health insurance company bureaucrat, something the family can afford, something small businesses can afford.

We can do it. We should not be afraid. America has tackled bigger challenges in the past.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

HONORING JOHN GRANVILLE

Mr. KAUFMAN. Mr. President, I rise once again to speak about the vital role our Federal employees play in keeping America safe, prosperous, and free.

Just days ago, on the Fourth of July, we celebrated the 233rd anniversary of our independence. For 233 years, ordinary Americans have chosen to give their energy, their time, and their talents in service to our government. Many have given their lives.

All Federal employees, as I have said previously, are bound together by a shared sense of duty and willingness to sacrifice.

When the Founders added their signatures to the Declaration of Independence, they did so with faith in their fellow Americans—that the 56 names inked on that parchment were joined in spirit by millions of others in their own day and for generations to come.

They knew that building a nation requires more than a handful of men.

It entails the active participation of citizens from all walks of life.

This is why, a decade later, when the Framers assembled in Philadelphia to draft our Constitution, they did so with an expectation that regular citizens would be the form and substance of our government.

Indeed, they knew firsthand the value of service above self. This virtue would lead countless Americans who had fought for freedom to become the first generation of Federal employees.

The Founders and Framers had good cause to predict such participation among citizens beyond their appointed role as electors and jurors. The classical history and writings that influenced them are filled with praise for the values of duty and sacrifice that inspire public service.

Many educated Americans in 1776 were familiar with the story of Horatius the Roman.

When the armies of a tyrant approached the walls of Rome, the citizens of its infant republic were called to arms.

Horatius ran across the last bridge spanning the Tiber River where he alone held off the enemy as his compatriots destroyed the bridge behind him. With this personal act of courage, he prevented the capture of Rome.

Horatius was not a professional soldier. He was neither an elected leader nor a man of high birth.

But he defended with pride that title of honor greater than any other—citizen. He gave his life so that others could remain free.

His act is an example of the kind of sacrifices that ordinary citizens are willing to make when they know freedom is in jeopardy.

Americans looked to classical figures like Horatius in 1776, when their own liberty was uncertain.

It is this common willingness to risk safety and personal gain that sets apart a commonwealth of citizens from a nation of subjects.

It is these same qualities that make our Federal employees so worthy of praise.

On the Fourth of July, I thought about ordinary Americans who choose to serve their country in often perilous situations. Many of them risk harm while defending the liberty and values that infuse our citizenship with meaning.

As I have said before, our Federal employees exemplify the American value of service above self.

Throughout our history, Federal employees have traveled to dangerous corners of the globe, in order to represent the American people abroad, promote peaceful international cooperation, and provide aid to those in need.

John Granville was one of those who felt called to serve his country, even if it meant traveling to places where his own safety was uncertain.

A native of Orchard Park, NY, near Buffalo, John studied at Fordham and Clark Universities before joining the Peace Corps. His service in the Corps took him to Cameroon, in West Africa, from 1997 to 1999.

While there, he applied for and received a Fulbright fellowship to continue living in that country and conduct research on its society and development.

John, committed to serving his country and helping others, then joined the Foreign Service.

He worked for the U.S. Agency for International Development—or USAID—in Kenya before heading to Sudan in 2005.

It was a dangerous assignment. That year, the Sudanese Government signed a cease-fire to end a long civil war in that country's south. John's assignment was to distribute 75,000 radios to rural villagers.

These radios could be powered by the Sun or by handcrank.

With democratic elections approaching, these radios would give the local Sudanese access to uncensored international news broadcasts.

As a former member of the Broadcasting Board of Governors, I can attest to the importance of providing access to free and uncensored news. It is a vital part of developing democratic culture and press freedom. It also promotes hope and understanding, which help deter the spread of extremist views.

John worked with a dedicated team of USAID officials to distribute these radios and other aid to rural south Sudanese. One of his coworkers later said that John was ''the glue'' that held their group together and that he kept up their spirits throughout the mission.

On New Year's Day, 2008, John was gunned down by four militants who targeted his car for its diplomatic plates. He was only 33 years old.

His loved ones back home remembered him as an ''unselfish humanitarian,'' a ''consummate professional,'' and someone who ''worked with energy and imagination.'' John was an active member of the St. John Vianney Church community, and he was a mentor who inspired others to follow in his footsteps by helping those in need.

John Granville believed in the importance of service as part of citizenship.

He crossed the ocean and stood on the other side, like the Roman Horatius at the far end of the bridge, carrying out the people's work and risking his own safety in service to his Nation.

He had told his mother on several occasions that despite the danger of his work, he would not want to be doing anything else.

There are thousands of Foreign Service officers, USAID workers, and journalists and employees with the Broadcasting Board of Governors all over the globe.

These dedicated men and women leave behind family, friends, and communities. Their careers often take them through dangerous parts of the world, where the threat from crime, disease, war, and terrorism is very real.

All too frequently their sacrifices and achievements go unrecognized. On occasion, they make the ultimate sacrifice.

Because we just celebrated the Fourth of July, let me return for a moment to the founding generation.

Those first Americans who sacrificed for liberty established more than our Republic. They left us with a democratic legacy that reminds us everyday of our rights and our duties as equal citizens.

The descendents of those revolutionaries, when they designed and ornamented this magnificent Capitol, enshrined a powerful message. The paintings in the Capitol Rotunda, just steps from here, narrate the story of how America achieved its greatness.

They tell not of the force of arms or the achievements of a powerful few. Rather, taken as a whole, these eight paintings celebrate the evolution of American citizenship.

The turning point in this narrative is highlighted by Trumbull's iconic portrayal of the drafting of the Declaration of Independence.

But the last painting in the cycle is the most poignant and recalls the climactic movement in the development of our citizenship.

Washington, at his height of popularity, willingly yields his power and authority back to the people by resigning his commission.

With his sacrifice in that moment, the American people were truly free, and those who laid out this cycle of paintings did so to acclaim this birth of American citizenship.

They remind us that our citizenship is a pact between equals, that no American should ever rule arbitrarily over another.

It is this notion of citizenship that governs the relationship between the American people and our Federal employees.

As a commonwealth of citizens, we entrust our fellow Americans who work in the Federal Government to perform that noble task so yearned for by the 56 men who wrote and signed the Declaration.

They secure our unalienable rights by constituting a government deriving its ''just powers from the consent of the governed.''

Their hard work and their sacrifices protect our lives, preserve our liberty, and enable all Americans to pursue happiness.

I call on my colleagues to join me in honoring and recognizing the immeasurable sacrifice made by John Granville and all civilian Federal employees who gave their lives in service to our Nation.

Their names will forever be inscribed on the eternal Declaration that continually secures our freedom.

I yield the floor 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.

Mr. McCAIN. 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.

ORDER OF PROCEDURE

Mr. McCAIN. Mr. President, I ask unanimous consent that the time of the majority be preserved.

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

HEALTH CARE

Mr. McCAIN. Mr. President, in the last few years, I have traveled all over this country talking to people about health care. After listening to countless Americans—including in two townhall meetings last week—I proposed in the past health care reforms that would have ensured health care coverage was more affordable, accessible, portable, and suitable for all American families.

Health reforms need to be consistent with our American values of freedom, choice, and limited government. The key to these reforms is to put our citizens in charge of their own health coverage. Rather than being stuck in a job because the job provides health care, or worse, losing health insurance if the economy causes you to lose your job, we need to change our system and allow Americans to obtain coverage options with a tax credit for policies not limited by State boundaries or government dictates.

Just this past week, I had the great good fortune to visit two of the finest health care institutions in this country. First, I spent time with hundreds of patients, doctors, nurses, and health care leaders at the world-renowned MD Anderson Cancer Center in Houston, TX. I heard from patients who had come to this center of excellence from 90 countries and States, including Arizona. Why do patients come to the United States of America from all over the world? It is because the highest quality health care is in the United States of America. And I repeat, the fundamentals of this discussion and debate sometimes go astray from the fact that the highest quality health care in the world is available in the United States of America. The key to it and our challenge is to make that health care available and affordable to all Americans. The path we are on will destroy the quality of that coverage and will, in fact, make health care the same as it is in other countries. The reason they leave there is to get high-quality health care in the United States of America. It is the best—our system—because innovation and technology are allowed to flourish.

Later in the week, in my home State of Arizona, I visited one of the premier children's hospitals in the country. Phoenix Children's Hospital is a destination medical facility for children all around the Southwest and in the country. At Phoenix Children's Hospital, I also met with patients, physicians, nurses, medical executives, and average Arizonans. During this visit, not one health care provider in Phoenix told me they wanted more government control over health care. In fact, they told me the opposite. PCH has experience with Medicaid, and time after time I was told of the problems providers face every day with the government Medicaid Program. The program is a vital safety net for the low income, but we have to recognize the important lessons we have already learned about government running health care programs.

During these events, I was repeatedly told that we need reform. They also told me about the problems they face in the government-controlled Medicare and Medicaid Programs, both with massive unfunded liabilities. They want a stable system that keeps costs under control, gets everyone covered, pays fairly, encourages innovation, and maintains America's standing as providing the best health care in the world. But none of them told me we need more government control of health care or government-controlled health insurance.

I have listened to Americans. But I am worried they are not being heard here in Congress by those who control the agenda in the White House and the Senate. If President Obama and the Democratic leaders were listening, we would not have a bill before us that costs too much, taxes too much, covers too few, and puts government in control at every turn.

This country has fought for over 200 years for the fundamental values that I fear are being eroded by the other side's appetite for one-size-fits-all government control of one of our most cherished economic gems.

First, this administration takes over the banking industry. Then they take over the auto industry. Along the way, they tell us $787 billion in more and bigger government, along with $1.8 trillion of debt this year alone, is the answer to our ailing economy. Now they are telling the American people they were not aware of the economic situation and, guess what, they are going to want another stimulus package. I think that idea would be soundly rejected by the American people. And now they are telling the American people that we must rush to pass a new government health care plan that we cannot pay for, will increase taxes, and kill jobs. We are talking about one-sixth of the gross national product of America. And it is pretty obvious the other side wants to jam this through in the next 4 weeks. We should not do

that. They still have not come up with ways to pay for this grandiose takeover of the American health care system.

Americans are losing health care coverage every day. And it gets back to the issue of affordability, not quality. But the Democrats cannot produce legislation that responsibly makes coverage available to all Americans without trillions of dollars in new spending.

This weekend, after a 4-week delay, we finally received new provisions in their new government-run health care plans. Here is what we know about the legislation before us:

The Congressional Budget Office says the preliminary cost estimate for the new language they reviewed was nearly $900 billion in new spending. The other side says this is a cost reduction from an earlier version of the bill. Do not be fooled by the smoke and mirrors. After an inexplicable 4-year phase-in that delays several provisions in the Democratic bill in an effort to hide costs through accounting techniques, the bill will actually spend $1.5 trillion when it is fully implemented. And that is not counting the hundreds of billions of dollars in new Medicaid spending promised by that legislation.

CBO also tells us the HELP Committee bill still leaves over 30 million Americans without coverage. Mr. President, for all the spending being proposed, don't you think we should be covering more than 40 percent of the uninsured? When the final numbers come in, don't be surprised if the cost of this ''rush'' proposal is at or above $2 trillion. What is worse, the sponsors cannot tell us how we will pay for such a massive price tag.

My colleagues and I plan to continue talking to the American public. I suggest the other side in the Senate talk to all Americans about what they need rather than making these decisions for them.

Again, Mr. President, we cannot risk running through a legislative proposal in the next 4 to 5 weeks and be sure that we are not making serious and fundamental mistakes. And the serious and fundamental mistake is the approach to this legislation, which is, the quality of health care in America can and must be preserved; it is the cost that needs to be brought under control. We can bring those costs under control by innovative techniques, by competition, by allowing Americans to go all across America to get the health insurance of their choice—the same way we have been able to reduce costs in other sectors of our economy, as technology has improved the quality of our lives.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I am glad I was here to listen to the thoughtful comments of the Senator from Arizona. His leadership on the HELP Committee in trying to help make certain we help Americans have access to health care they can afford and that we do that in a way that leaves them with a government they can afford and with choices so they do not have government in between themselves and their doctors has been very important. I thank him for his leadership.

TAXPAYER STOCK OWNERSHIP

Mr. ALEXANDER. Mr. President, the Senator talked about spending and debt. During my week in Tennessee last week, if I heard about anything, it was about too much debt. People are genuinely worried about the amount of new debt and spending in Washington. But if I heard anything else last week, it was about too many Washington takeovers. Senator MCCAIN mentioned some of them. He mentioned banking. He talked about, perhaps, student loans. He mentioned the health care industry. And he mentioned the automobile industry, which is what I would like to talk about for a few minutes this morning.

Yesterday was good news for General Motors. The judge in the bankruptcy case apparently approved a plan that by the end of the week should free General Motors from bankruptcy, and we could have a new GM, for which I wish great success because General Motors has made great contributions to our State of Tennessee over the last 25 years. Its Saturn plant has helped to attract hundreds of suppliers and has produced a good car, although they never made any money for one reason or another. But they made a great contribution to our State. So the good news is General Motors is going to get out of bankruptcy. The bad news is that the U.S. Government still owns 61 percent of General Motors, as well as about 8 percent of Chrysler. And it was paid for with real dollars.

Mr. President, $50 billion or so in taxpayer dollars went to buy 61 percent of General Motors. Well, I have a solution which I would like to discuss, offered by the Senator from Utah, Mr. BENNETT; the Senator from Arizona, Mr. KYL; the Senator from Kentucky, Mr. MCCONNELL, other Senators, and myself. Our legislation would direct the Department of the Treasury, within 1 year after General Motors comes out of bankruptcy, to distribute all of the government stock in General Motors and in Chrysler to the 120 million Americans who pay taxes on April 15—in other words, a stock dividend. We want to give the stock to the people who paid for it. The idea is pretty simple: I paid for it, I ought to own it. Not only would that stop the incestuous political meddling that seems to go on here in Washington with General Motors—Washington cannot seem to keep its hands off the car company—it would also create an investor fan base of 120 million Americans who might be interested in the success of General Motors or be a little more interested than they are today.

Think of the Green Bay Packers. The fans own the team, and the fans are even a little bit more interested in who the quarterback might be than they might otherwise be. Well, if 120 million Americans owned a little bit of General Motors, the New GM, they might be a little more interested in the next Chevy and it might help General Motors succeed.

I can suggest one thing that will make sure the company does not succeed, and that is to keep the ownership of General Motors in Washington, DC, with meddling politics interfering with the executives and the workers who are designing and building and selling cars—or who, I might say, ought to be designing, building, and selling cars.

Madam President, about how much time do I have remaining?

The PRESIDING OFFICER (Mrs. GILLIBRAND). The Senator has 6 minutes.

Mr. ALEXANDER. Thank you, Madam President.

When I first suggested that what we ought to do is just give the stock to taxpayers, I think some of my colleagues thought I might be being facetious. But this is a very normal corporate event. It is called a stock distribution or a corporate spinoff. In 1969, Procter & Gamble did a spinoff with Clorox, its subsidiary. Procter & Gamble decided its Clorox subsidiary was not a part of the core business of Procter & Gamble anymore, so it simply gave shares of Clorox to people who owned the major company, Procter & Gamble. Time Warner did it with Time Warner Cable in March of 2009. PepsiCo did it with its restaurant business in 1997 by spinning off KFC, Pizza Hut, and Taco Bell.

If you stop and think about it, it is the simplest way to solve the problem. The President has said he does not want to micromanage General Motors and that he plans to sell it. But the President himself has already fired the president of General Motors, put in the board, and called the mayor of Detroit and said he believes the headquarters ought to be in Detroit instead of Warren, MI. Next, you have the chairman of the House Financial Services Committee calling up General Motors saying: Don't close a warehouse in my district. Senators from Tennessee and Michigan and other States are saying: Please put a plant in our states. We have at least 60 Congressional committees and subcommittees that could have the General Motors and Chrysler executives drive their congressionally approved hybrid cars to Washington to testify all day when they ought to be home trying to figure out how to make a car that would sell better than a Toyota or a Nissan or a Honda or some other company.

So let's get the stock out of Washington and into the hands of the taxpayers.

Madam President, I have twice presented a car czar award to try to put a spotlight on the political meddling in Washington, DC. Once I gave it to BARNEY FRANK, the chairman of the House

Financial Services Committee, who called up the General Motors president and said: Don't close a warehouse in my district, and General Motors did not close the plant. Once I gave the award to myself and others, who met with GM people and said: Please put a plant in our district. Today I would like to present it to a real car czar.

In the June 1 Wall Street Journal, there is an article by Lieutenant General Pacepa, who was literally the car czar of Romania.

Madam President, I ask unanimous consent that following my remarks, this article about what Lieutenant General Pacepa learned as car czar be printed in the RECORD.

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

(See exhibit 1.)

Mr. ALEXANDER. Madam President, basically, he says:

> The United States is far more powerful than Great Britain was then, and no American Attlee should be capable of destroying its solid economic and political base. I hope that the U.S. administration, Congress, and the American voters will take a closer look at history and prevent our automotive industry from following down the [road of the Romanian cars.]

He cites many examples. For example, how the President of Romania decreed that the Oltcit parts were to be manufactured at 166 existing Romanian factories in parts of the country that corresponded to the voting districts. I can see that happening in the United States. We already have Congressmen saying: Don't buy a battery in South Korea; buy one made in my congressional district. General Motors might be buying a battery from South Korea because it would make the Chevy Volt a success.

In the New York Times in 1989, there was an article talking about Soviet cars called the Lada, which were the brunt of many jokes, and the difficulty the Soviet Union had coming out of perestroika and glasnost.

There were jokes such as: What do you call a Lada with twin tailpipes? A wheelbarrow.

Why do Ladas have heated rear windows? So you can keep your hands warm when you are pushing them in the snow.

We politicians don't know anything about making cars. We should not pretend we do. The American people know that. They don't like the fact that the federal government has spent more than $50 billion bailing out the car companies, but the American people like it worse that we in Congress are sitting on 60 committees and subcommittees acting as if we are going to help the auto companies succeed. The single most important thing we can do to celebrate General Motors coming out of bankruptcy this week is to pass legislation we have offered, which would give all of the stock the government has in General Motors and Chrysler, within 1 year, to the 120 million Americans who pay taxes on April 15.

The rationale is very simple: They paid for it; they should own it. That would begin to stop this trend we are seeing every day and every month in Washington of too many Washington takeovers and move us back in the direction we ought to go to rebuild a great car company and get jobs flowing in this country again.

I thank the Chair and yield the floor.

EXHIBIT 1

WHAT I LEARNED AS A CAR CZAR

(By Ion Mihai Pacepa)

They say history repeats itself. If you are like me and have lived two lives, you have a good chance of seeing the re-enactment with your own eyes. The current takeover of General Motors by the U.S. government, and United Auto Workers makes me think back to Romania's catastrophic mismanagement of the car factories it built jointly with the French companies Renault and Citroen. I was Romania's car czar.

When the Romanian dictator Nicolae Ceausescu, decided in the mid-1960s that he wanted to have a car industry, he chose me to start the project rolling. In the land of the blind, the one-eyed man is king. I knew nothing about manufacturing cars, but neither did anyone else among Ceausescu's top men. However, my father had spent most of his life running the service department of the General Motors affiliate in Bucharest.

My job at the time was as head of the Romanian industrial espionage program. Ceausescu tasked me to mediate the purchase of a minimum, basic license for a small car from a major Western manufacturer, and then to steal everything else needed to produce the car.

Three Western companies competed for the honor. Ceausescu decided on Renault, because it was owned by the French government (all Soviet bloc rulers distrusted private companies). We ended up with a license for an antiquated and about-to-be-discontinued Renault-12 car, because it was the cheapest. ''Good enough for the idiots,'' Ceausescu decided, showing what he thought of the Romanian people. He baptized the car Dacia, to commemorate Romania's 2,000-year history, going back to Dacia Felix, as the ancient Romans called that part of the world. In that government-run economy, symbolism was the most important consideration, especially when it came to things in short supply (such as food).

''Too luxurious for the idiots,'' Ceausescu decreed when he saw the first Dacia car made in Romania. Immediately, the radio, right side mirror and backseat heating were dropped. Other ''unnecessary luxuries'' were soon eliminated by the bureaucrats and their workers' union that were running the factory. The car that finally hit the market was a stripped-down version of the old, stripped-down Renault 12. ''Perfect for the idiots,'' Ceausescu approved. Indeed, the Romanian people, had never before had any car, came to cherish the Dacia.

For the Western market, however, the Dacia was a nightmare, To the best of my knowledge, no Dacia car was ever sold in the U.S.

Ceausescu, undaunted, was determined to see Romanian cars running around in every country in the world. He tasked me to buy another Western license, this time to produce a car tailored for export. Oltcit was the name of the new car—an amalgam made from the words Oltenia, Ceausescu's native province, and the French car maker Citroen, which owned 49% of the shares. Oltcit was projected to produce between 90,000 and 150,000 compact cars designed by Citroen.

Ceausescu micromanaged Oltcit, but he didn't even know how to drive a car, much less run a car industry. To save the foreign currency he coveted, he decreed that the components for the Oltcit were to be manufactured at 166 existing Romanian factories. Coordinating 166 plants to have them deliver all the parts on time would be a monumental job even for an experienced car producer. It proved impossible for the Romanian bureaucracy, which pretended to work and was paid accordingly. The Oltcit factory could produce only 1% to 1.5% of its intended capacity owing to the lack of the parts that those 166 companies were supposed to furnish simultaneously. The Oltcit project lost billions.

Ceausescu was an extreme case, but automobile manufacturing and government were never a good mix in any socialist/communist country. In the late 1950s; when I headed Romania's foreign intelligence station in West Germany, I worked closely with the foreign branch of the East German Stasi. Its chief, Markus Wolf, rewarded me with a Trabant car—the pride of East Germany—when I left to return to Romania.

That ugly little car became famous in 1989 when thousands of East Germans used it to cross to the West. The Trabant originally derived from a well regarded West German car (the DKW) made by Audi, which today produces some of the most prestigious cars in the world. In the hands of the East German government, the unfortunate DKW became a farce of a car. The bureaucrats and union that ran the Trabant factory made the car smaller and boxier, to give it a more proletarian look. To reduce production costs, they cut down on the size of the original, already small DKW engine, and they replaced the metal body with one made of plastic-covered cardboard. What rolled off the assembly line was a kind of horseless carriage that roared like a lawn mower and polluted the air worse than a whole city block full of big Western cars.

After German reunification, the plucky little ''Trabi'' that East Germans used to wait 10 years to buy became an embarrassment, and its production was stopped. Germany's junkyards are now piled high with Trabants, which cannot be recycled because burning their plastic-covered cardboard bodies would release poisonous dioxins. German scientists are now trying to develop a bacterium to devour the cardboard-and-plastic body.

Automobile manufacturing and government do not mix in capitalist countries either. In the spring of 1978 Ceausescu appointed me chief of his Presidential House, a new position supposed to be similar to that of the White House chief of staff. To go with it he gave me a big Jaguar car, That Jaguar, which at the time had been produced in a government-run British factory, was so bad that it spent more time in the garage being repaired than it did on the road.

''Apart from some Russian factories in Gorky, Jaguars were the worst,'' Ford executive Bill Hayden stated when Ford bought the nationalized British car maker in 1988. How did the famous Jaguar, one of the most prestigious cars in the world, become a joke?

In 1945, the British voters, tired of four years of war, kicked out Winston Churchill and elected a leftist parliament led by Labour's Clement Attlee. Attlee nationalized the automobile, trucking and coal industries, as well as communication facilities, civil aviation, electricity and steel. Britain was already saddled by crushing war debts. Now it was sapped of economic vigor. The old empire quickly passed into history. It would take decades until Margaret Thatcher's privatization reforms restored Britain's place among the world's top-tier economies.

The United States is far more powerful than Great Britain was then, and no American Attlee should be capable of destroying its solid economic and political base. I hope

that the U.S. administration, Congress and the American voters will take a closer look at history and prevent our automotive industry from following down the Dacia, Oltcit or Jaguar path.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Madam President, how much time is left?

The PRESIDING OFFICER. There is 12 minutes remaining.

SOTOMAYOR NOMINATION

Mr. SESSIONS. Madam President, I express my appreciation to the Senator from Tennessee for his insightful comments. Indeed, it is a tangled web we create when we first start to regulate. It is a tangled web, too, when we start owning automobile companies which we know nothing about. Madam President, we are looking forward to next week and working as hard as we can to ensure that we have a very fine confirmation hearing in the Judiciary Committee for the judge nominated to be a Justice of the Supreme Court by President Obama, Judge Sotomayor. I will share a few thoughts about that and some matters that I think are important for my colleagues to think about as they study this issue and work to do the right thing about it.

The President's nominee is, of course, his nominee, and it is our responsibility—and the only opportunity the American people have to know anything about this process is the hearing in which the nominee has to answer questions and respond. Senators will make comments and ask questions.

When we elevate one of our citizens to a Federal judgeship, we give them an awesome responsibility, and particularly so when elevated to the Supreme Court. They are the final word on our Constitution, how the Constitution and our laws are to be interpreted. Some judges, I have to say, have not been faithful in their responsibilities. They have allowed personal views and values to impact them, in my view. We ask them as judges to take on a different role than they have in private practice. We ask them to shed their personal beliefs, their personal bias and, yes, their personal experiences. We ask them to take an oath to impartial justice.

Our wonderful judicial system—the greatest the world has ever seen—rests upon this first principle. It is an adversarial system that is designed to produce, through cross-examination and other rules and procedures, truth—objective truth. The American legal system is founded on a belief in objective truth and its ascertainability. This is a key to justice.

But in this postmodern world, our law schools and some intellectuals tend to be of a view that words don't really have meaning; words are just matters some politically powerful group got passed one day, and they don't have concrete meanings and you don't have to try to ascertain what they meant. And, indeed, a good theory of law is to allow the judge to update it, change it, or adopt how they would like it to be.

I suggest this is not a healthy trend in America. It impacts this Nation across the board in so many ways. But I think it is particularly pernicious, when it comes to the law, if that kind of relativistic mentality takes over.

This notion of blind justice, objectivity, and impartiality has been in our legal system from the beginning, and it should not be eroded. Every judge takes this oath. I think it sums up so well the ideals of the fabulous system we have. A judge takes this oath:

> I do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me under the Constitution and laws of the United States, so help me God.

Well, I guess the Court hasn't gotten around to striking their oath yet—at least that part that says ''so help me God.'' Those phrases have certainly been attacked around the country by Federal judges, in many instances. This oath—I have to say this—stands in contrast to the President's standard for judicial nominees.

I am concerned, based on her speeches and statements, that it may also be the judicial philosophy of Judge Sotomayor.

In 2005, then-Senator Obama explained that 5 percent of cases, he believes, are determined by ''one's deepest values and core concerns . . . and the depth and breadth of one's empathy.'' He means a judge's personal core concerns, values, and empathy.

Well, according to the President, in 5 percent of the cases where issues are close, that is acceptable. I think we must draw from his statement that it is acceptable for judges to not set aside their personal beliefs, not discard personal bias, not dispense with their personal experiences as they make rulings, as they decide cases, which is what judges do.

According to the President, in 5 percent of cases, Lady Justice should remove her blindfold, take a look at the litigants, and then reach out and place her thumb on the scales of justice on one side or the other. I think this is a dangerous departure from the most fundamental pillar of our judicial system—judicial impartiality. That is why judges are given lifetime appointments. They are supposed to be unbiased and impartial.

Whatever this new empathy standard is, it is not law. It is more akin to politics than law. Whenever a judge puts his or her thumb on the scale of justice in favor of one party or another, the judge necessarily disfavors the other party. For every litigant who benefits from this so-called empathy, there will be another litigant who loses not because of the law or the facts, but because the judge did not empathize or identify with them.

What is empathy? Is this your personal feeling that you had a tough childhood or some prejudice that you have—you are a Protestant or a Catholic or your ethnicity or your race or some bias you brought with you to life and to the court? Is that what empathy is? Well, it has no objective meaning, and that is why it is not a legal standard. The oath of ''impartiality'' to ''equal justice to the rich and the poor alike'' is violated when such things infect the decisionmaking process.

With this as his stated standard, the President nominated Judge Sonia Sotomayor for the Supreme Court of the United States. Thus far our review of her record suggests that she may well embrace the President's notion of empathy, and I will share a few thoughts on that.

On a number of occasions over the years, Judge Sotomayor delivered a speech entitled ''Women in the Judiciary.'' In it she emphasizes that she accepts the proposition that a judge's personal experiences affect judicial outcomes:

> In short, I accept the proposition that a difference will be made by the presence of women on the bench and that my experiences will affect the facts that I choose to see as a judge.

In fact, in one speech, she rejected another woman judge's view that a woman and a man should reach the same decision in a case. She explicitly rejected that concept. She reaffirms:

> I simply do not know exactly what that difference will be in my judging, but I accept there will be some [differences] based on my gender and the experiences it has imposed on me.

I think this would tend to be a rejection of even the aspiration, the ideal, of impartiality that is fundamental to our legal system and our freedoms.

In a later speech, Judge Sotomayor takes a giant step, expressing a desire to draw upon her experiences in her judging. She states:

> Personal experiences affect the facts judges choose to see. My hope is that I will take the good from my experiences and extrapolate them further into areas with which I am unfamiliar. I simply do not know exactly what that difference will be in my judging. But I accept that there will be some based on my gender and my Latina heritage.

Well, are the days now gone when judges should see their taking office as a commitment to set aside their personal experiences, biases, and views when they put on the robe? Gone are the days when judges even aspire to be impartial.

In that same speech, which has been given a number of times, Judge Sotomayor goes a step further, saying:

> I willingly accept that we who judge must not deny the differences resulting from experience and heritage, but attempt continuously to judge when those opinions, sympathies and prejudices are appropriate.

She says a judge should attempt continuously to judge when those opinions, sympathies, and prejudices are appropriate. That means that a judge's prejudices are appropriate to use in the decisionmaking process.

I find this to be an extraordinary judicial philosophy. Some might say you

are making too much of it, that empathy sounds fine to me; I don't have any problem with that. Empathy is great, perhaps, if you are the beneficiary of it. The judge is empathetic with you, your side of the argument, but it is not good if you are on the wrong side of the argument, if you don't catch a judge's fancy or fail to appeal to a shared personal experience.

This approach to judging, as expressed in her speeches and writings, appears to have played an important part in the New Haven firefighters' case Senator MCCONNELL mentioned earlier. These are the 17 firefighters who followed all the rules, studied for the test. It was publicly set out how the promotions would take place in that department. A number of people passed, but a number of people did not, and there were a number of minorities who did not pass. They wanted to change the test after it had been carried out, to change the rules of the game after it had been carried out because they did not like the results. This is a results-oriented question.

Bowing to political pressure, the city government looked only at the test results and the statistical data and changed the rules of the game. They threw out the test. This was challenged by the persons who passed. The district judge then agreed with the city in a 48-or-so-page opinion. It was appealed to Judge Sotomayor's court. In one paragraph only, she agreed with that decision, even though it raised fundamental, important constitutional questions, important questions.

She concluded that the complaining firefighters were not even entitled to a trial, that the pretrial motions were sufficient to deny them the remedy they sought and to affirm the city's opinion in one paragraph.

The U.S. Supreme Court disagreed. They wrote almost 100 pages in their opinion, and all nine Justices voted to reverse the opinion. It was not 5 to 4. Five of the Justices, the majority, ruled that based on the facts in evidence that had been presented prior to trial, the firefighters were entitled to total victory and be able to win their lawsuit. This is a pretty significant reversal, I have to say.

The question is: Did she allow her prior experiences and beliefs to impact her decision in that case? I point out that she was an active member of the Puerto Rican Legal Defense Fund, where she spent a number of years working on cases such as this and filing litigation and challenging promotion policies in cities around the country, which is a legitimate thing for a group to do. But they did take a very aggressive standard criticizing tests and the standardized process of testing.

Of course, her stated philosophy is that a judge should use life experiences in reaching decisions. We do know she believes a judge is empowered to utilize his or her personal ''opinions, sympathies, and prejudices'' in deciding cases. We do know her particular life experiences with the Legal Defense Fund were contrary to the claims brought by the New Haven firefighters. We know she was a leader and board member and chair of that organization's litigation committee. According to the New York Times, she ''met frequently with the legal staff of the organization to review the status of cases.'' According to the New York Times, ''she was involved and was an ardent supporter of their various legal efforts.'' She oversaw, as a board member and litigation chair, several cases involving the New York City Department of Sanitation, which challenged a promotion policy because Hispanics comprised 5.2 percent of the test takers but only 3.8 percent had passed the test. They declared that was an unfair result and challenged the test. Another involved the New York City Police Department on behalf of the Hispanic Police Society. Another one involved police officers in a discrimination case challenging the New York Police Department's lieutenants exam, claiming that exam was biased.

Under her leadership, the Puerto Rican Legal Defense Fund, before she became a judge, involved itself in a series of cases designed to attack promotion exams because the group concluded that after the fact, after the test, not enough minorities were being promoted. It sounds a lot like this firefighters case we talked a good bit about so far.

We are left to wonder what role did the judge's personal experiences play when she heard the case. Did her personal views, as she has stated, ''affect the facts she chose to see?''

The PRESIDING OFFICER. The Republican time has expired.

Mr. SESSIONS. Madam President, I ask unanimous consent for 1 additional minute.

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

Mr. SESSIONS. Madam President, those are important questions, and we will ask about them and give her full and ample opportunity to respond. I did wish to raise these issues.

The firefighters were denied promotion, and under her stated philosophy, her prior background, they are left to wonder: Was perhaps the reason they lost in her court because she brought her background and her prejudices to bear on the case and did not give them a fair chance? Very few cases are taken by the Supreme Court, but the Supreme Court did take this one, to the benefit of the firefighters, and reversed this decision. All nine Justices concluded the decision was improperly done and should be reversed, and five of them rendered a verdict in favor of the firefighters on the record as existed then.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

ORDER OF PROCEDURE

Mr. DURBIN. Madam President, it is my understanding the Senator from North Carolina is going to make a unanimous consent request; is that correct?

Mr. BURR. Madam President, the Senator is correct. I believe the Senator from Nebraska, as well. I ask unanimous consent to be recognized after the Senator from Nebraska, it is my understanding, for up to 10 minutes as in morning business.

Mr. DURBIN. The time suggested for the Senator from Nebraska is how much?

Mr. JOHANNS. Madam President, I anticipate 10 minutes, and I ask unanimous consent to speak for 10 minutes.

Mr. DURBIN. My only hesitation is the fact that we are having a Senator sworn in at 12:15 p.m., and there is going to be a speech given before that by his colleague. We also wanted to have opening statements on the bill. If I may ask the Senators—I will not object—but if I may ask them to be closer to the 5-minute mark, I think we can achieve all that in a timely fashion. I ask unanimous consent that the Senator from Nebraska be recognized for 5 minutes——

Mr. JOHANNS. Five minutes.

Mr. DURBIN. In morning business and that the Senator from North Carolina be given up to 10 minutes. I know he said he would not use up to 10 minutes, and we will be protected with whatever time is used by these two Republican Senators being allocated to the Democratic side for morning business, which we will not likely use. I make that unanimous consent request.

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

The Senator from Nebraska.

HEALTH CARE

Mr. JOHANNS. Madam President, I spent several days during the recess hosting a series of discussions on health care. I met with doctors and hospitals, underwriters, small business owners, and uninsured Nebraskans. Many of them feel as if they are one illness away from a crisis. The economic slowdown has only heightened this fear as they worry that they may lose their job and the health insurance their family depends upon to stay healthy.

Their concerns are real, and Congress should act carefully to address them. We need to create a health care system that protects patient rights, let's them see their doctor, and is affordable.

But I am concerned about the discussion that is occurring today. The American people deserve true solutions and should not be led down a path that is fraught with shadowy numbers and unfulfilled promises. Specifically, I have reservations about a government-run public plan. Some have attempted to sugar-coat this new bureaucracy as simply an option. However, the more you learn about it, the more you realize there is nothing optional about it.

In my judgment, it is a one-way ticket to a single-payer, government-run health care system, one that will compromise patient access to quality care.

It is impossible for private industry to compete with the government. The government can fix the prices and pick the rules that make only one plan feasible—the government plan. When the government acts as both the player and the umpire, it's not a level playing field. That close call at the plate will never go to the runner and the foul ball magically will become a home run.

Some will say the government-run option will increase competition and keep the private insurers honest. Left unsaid is that government underpayments on Medicaid and Medicare are creating enormous cost shifting and increase the health care costs for others. Underpayments for Medicare and Medicaid are estimated to shift about $89 billion onto people who have private insurance. Each family pays an additional $1,800 annually to make up for the government's flawed payment system. Hospitals and doctors literally told me they could not keep their businesses open on the Medicaid and Medicare reimbursement rate. So the creation of another plan, a government plan, will only rob from Peter to pay Paul. Eventually, there will be no private insurance companies left to bear the burden.

Bottom line is that government does not balance the books, and it views itself as not having to. Washington seems happy to keep on printing money and raising taxes. How can private business compete with that?

If a government-run public plan was truly going to compete, it would face the same regulations and the same risks that the private industry feels. No bailouts if it becomes insolvent. Does anyone think the bill's proponents would honestly let that happen? The Administration would probably claim it is too big to fail, like AIG, Citibank, General Motors.

A system with a competitive government option, I fear, is a fairy tale. A government-run plan will undercut the private market and ultimately drive them out of business. I am not defending the private insurance industry. Far from it. But we need to be honest with the American people. An uneven playing field is not right, and it will not benefit Americans.

The effect, I fear, will be longer waiting lines, less innovation, and rationing of care. In Canada, the average wait time for radiation treatment is 7 weeks. I cannot imagine asking Americans diagnosed with cancer to wait that long. There are some in Washington who have their heels dug in on a single-payer plan. It contradicts the President's promise. He has said over and over that people will be able to keep their health care. But Americans beware. One study estimates 119 million people will shift to the government plan. They will not choose that; their employer will choose it for them. We cannot fault employers that are trying to save money.

In the committee draft, businesses that employ 25 or more employees would be required to pay an annual penalty of $750 per employee. When you do the math, this is no penalty compared to the cost of private insurance.

In 2008, the average employer's cost for an individual health care plan was $3,900. Putting their employees on the public plan option would save them over $3,200 a year for each employee. So you can see why this shift would occur.

Ultimately, people will not have a choice. Their employer will make the choice, and they will be forced onto the government plan. To promise otherwise is misleading. Even the President has recognized that shift is going to occur.

I conclude my comments today by saying: Don't be fooled. A government plan that does not compete on a level playing field means people will migrate to the government plan, and the choice to keep private insurance will not be a viable option.

The PRESIDING OFFICER. The Senator from North Carolina.

HONORING OUR ARMED FORCES

MASTER SERGEANT BRENDAN O'CONNOR

Mr. BURR. Madam President, one of the privileges of being a Senator is that we have the opportunity to meet extraordinary people every day. Whether you are the Senator from Illinois or the Senator from Nebraska, extraordinary people walk through your door every day of the week. But sometimes we get to meet amazing individuals whom we can honestly call heroes, who lay their lives on the line for their country and sacrifice themselves for our freedom.

MSG Brendan O'Connor, a medic in the 7th Special Forces Group, is one of those very special people. In June of 2006, Master Sergeant O'Connor was deployed to Afghanistan in support of Operation Enduring Freedom. His group was stationed near Kandahar and charged with a variety of things, including security, training of the Afghan Army, and counterterrorism operations against a ruthless enemy.

We have all heard news reports and heard of suicide bombers driving cars loaded with explosives into markets and crowded areas killing innocent men, women, and children. We have all heard accounts of suicide bombers strapping explosives to their waists and walking through a market, intentionally killing individuals. All of these individuals have been branded as religious zealots willing to die for their cause. However, that is not always the case. Oftentimes, these Taliban warlords recruit suicide bombers in other ways. They go into small villages and they hold whole families hostage. They instruct the young men in the family that if they do not carry out a suicide mission, they are going to kill the rest of the family, or if they do, they will let them live.

Brendan's team was tracking one of these Taliban warlords, one of these thugs, outside of Kandahar, who was notorious for this type of ''recruitment.'' They tracked the terrorist to a small farming village surrounded by vineyards and orchards. Once in the area, Brendan's team set up a perimeter and defensive position to root out these warlords. They arrived late one evening and, working under the cloak of darkness, proceeded to sweep the village, hoping to surprise the local Taliban leader. However, their arrival was tipped off to the Taliban, and they had fled just minutes before U.S. soldiers arrived.

Having found evidence of the Taliban's existence, the soldiers knew it was only a matter of time before they engaged the enemy. That first skirmish started the next day at dusk. Brendan's team, about 70 soldiers comprised of 8 U.S. special ops and 60 Afghan soldiers, took some small arms and rocket propelled grenade fire, but it didn't last long. The Taliban attacked the U.S.-led forces several more times over the next day and night but never amounting to much. U.S.-led forces didn't even sustain a single injury during those firefights.

After having arrived on Wednesday evening and sporadically fighting the Taliban for 2 days, Brendan's team decided it was time to take the fight to the enemy. On that Saturday, MSG Tom Maholluck led a small recon group to a Taliban stronghold, which was just outside the village in a cluster of farm buildings. The team was comprised of four special forces operators and a dozen Afghan Army. Sergeant Maholluck was able to get in close enough to the compound without being detected. Once he assessed the situation, Sergeant Maholluck thought he could take the compound with a simple recon team. He ordered two of his soldiers—SSG Matt Binnie and SSG Joe Feurst—to take a fire suppression position and cover Sergeant Maholluck and the remaining Afghan Army contingency while they stormed the compound.

When the U.S.-led recon team launched its first attack on the Taliban compound, they were quickly greeted with heavy machine gunfire. The first fire expression team returned fire; however, the machine gun nest had a tactical advantage over the fire team—they had the higher ground. Matt was struck first by a bullet that grazed his neck and stunned him for a moment. Matt regained his senses, and he and Joe returned fire, as much as they could, but the Taliban had them pinned down. Then an RPG round came and struck Staff Sergeant Feurst directly in the leg. It didn't explode, thankfully, but badly wounded SSG Joe Feurst. As Staff Sergeant Binnie was tending to Joe's leg, he was shot through the shoulder. The only thing left of the fire suppression team was a young Afghan interpreter who had stayed with them. Master Sergeant

Maholluck was cut off from Staff Sergeant Binnie and Staff Sergeant Feurst, so he radioed for help.

Back at the main perimeter, Brendan O'Connor got the call and put a team together to go get his wounded soldiers. When Brendan's team got to the area, the Taliban had taken positions along the route to the wounded soldiers, leaving Brendan only one path—an exposed field. Brendan instructed his team to take up positions to support the wounded and started on his mission to save the lives of these soldiers.

At first, Brendan started crawling through an open field with his gear on. He quickly realized this wasn't going to work. So under a hail of small arms, RPG, and machine gun fire, Brendan removed all his armor and crawled through an open field to get to the two wounded. Brendan couldn't locate the two soldiers by sight, only by calling out. And as he heard them, he would get closer and closer.

When he arrived at the two wounded, he had to make a quick decision about Joe's injuries, which were life threatening. Brendan quickly got Staff Sergeant Binnie taken care of and instructed him to crawl through a culvert to get to safety. Staff Sergeant Feurst wasn't so easy. He was unconscious and unable to move. Brendan pulled him down as far as he could into the culvert. He started to drag him, but he realized he couldn't drag him the entire way.

As if the actions of Brendan and his team weren't heroic enough at this point, the next part of this account will send chills down your spine.

At this time during the fight, it was estimated that nearly 300 Taliban fighters had engaged the approximately 15-member U.S. force. I say approximately because several Afghan Army members who originally accompanied Brendan's team had fled by this point. As Brendan's natural cover was coming to an end, he pulled Joe on to his shoulder, and he ran across an area while 300 Taliban fighters were shooting at him. God was watching Brendan that day. God saw one man risk his life to save another, and he saw fit to keep Brendan from harm as he carried a wounded U.S. soldier to safety. Unfortunately, Joe Feurst died soon after Brendan got him back due to massive blood loss. SSG Matt Binnie survived because of Brendan's leadership and courage under fire.

The battle that had gone on for nearly 3 days was coming to an end at this point. U.S. forces had air support, which escorted them out of the area. All told, the U.S.-led force killed 125 Taliban fighters and only lost 2 of their own, with 1 wounded. They weren't able to capture or kill the warlord that time; however, due to the losses to the Taliban that day in that strike, U.S. forces got him several weeks later.

For their heroics in combat, MSG Tom Maholluck and SSG Matt Binnie were awarded the Silver Star. SSG Joe Feurst was awarded the Bronze Star. Brendan O'Connor was awarded the Distinguished Service Cross for his valor. It was the first time a member of the 7th Special Forces Group had been awarded the medal since 1964.

It is an honor to have Brendan and his family in Washington today. He is joined by his beautiful wife Meg and their children, Ryan, Colin, Darby, and Dillon.

It is this type of story that we rarely hear about on the nightly news, but this story was so amazing that ''60 Minutes'' felt compelled to do a piece on it after the soldiers arrived back home. MSG Brendan O'Connor is a person held in the highest regard by other warriors who have proudly served this country. He is a soldier who truly understands the price of freedom. The Senate salutes MSG Brendan O'Connor today.

I thank the Chair, and I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2892, which the clerk will state by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 1373

(Purpose: In the nature of a substitute)

Mr. REID. Madam President, I call up the amendment at the desk on behalf of Senator BYRD and Senator INOUYE.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] for Mr. BYRD and Mr. INOUYE, and Mrs. MURRAY, proposes an amendment numbered 1373.

Mr. DURBIN. Madam President, I ask unanimous consent to dispense with the reading of the substitute amendment.

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

(The text of the amendment is printed in today's RECORD under ''amendments Submitted.'')

Mr. DURBIN. Madam President, we now turn to the fiscal year 2010 Department of Homeland Security Appropriations bill. The chairman of the Homeland Security Subcommittee, Senator ROBERT C. BYRD, is home from the hospital and is improving daily and is eager to return to the Senate as soon as he can.

He has been in regular consultations with his staff in the development of the bill that was approved by the Appropriations Committee on June 18 by a vote of 30–0. This is a bipartisan bill. I thank the ranking member on the Appropriations Committee, Senator THAD COCHRAN, and the ranking member on the subcommittee, Senator GEORGE VOINOVICH, for their cooperation in the development of the bill. I also thank the chairman of the Appropriations Committee, Senator DANIEL K. INOUYE, for his support.

The establishment of the Department of Homeland Security after the devastating events of September 11, 2001, was one of the most ambitious Federal reorganizations since the Department of Defense was created following World War II. Regrettably, it was the official position of the Bush administration that the Department could be created at no cost to the taxpayer. This translated into a Department with aging assets, an inability to prepare for and respond to natural disasters and future threats, and significant management and employee morale problems.

In response, Congress, on a bipartisan basis, increased homeland security spending by an average of $2 billion per year above the President's request. These increases were invested in border security, chemical security, port security, transit security, aviation security, and cyber security. Congress also ensured State and local partners in homeland security received adequate resources to equip and train our first responders. These investments have paid off, making our Nation more secure and making us better prepared for any disaster. But we have much more work to do.

The committee-reported bill totals $42.9 billion of discretionary budget authority, an increase of 7 percent over fiscal year 2009.

Chairman BYRD has set five major goals for the bill: No. 1, securing our borders and enforcing our immigration laws; No. 2, protecting the American people from terrorist threats and other vulnerabilities; No. 3, preparing and responding to all hazards, including natural disasters; No. 4, supporting our State, local, tribal and private sector partners in homeland security with resources and information; and finally, giving the Department the management tools it needs to succeed.

To meet these goals, the bill provides $10.2 billion for Customs and Border Protection, including an initiative to combat drugs and violence on the Southwest border; $5.4 billion for Immigration and Customs Enforcement, including increased funds for the Southwest border initiative, and the Secure Communities and Criminal Alien Programs, which identify dangerous criminal aliens for deportation when they are released from prison.

It includes $7.7 billion for the Transportation Security Administration, including a $513 million increase for the

purchase and installation of explosives detection systems at airports. And funding is included for 50 additional air cargo inspectors to help meet the August 2010 mandate in the 9/11 act for 100 percent air cargo screening.

The bill also provides $143 million for surface transportation, including 100 additional inspectors and 15 additional security teams to improve security on our transit and rail systems, and $8.9 billion for the Coast Guard, including funding to complete national security cutter No. four and provide long lead materials for NSC No. five.

The bill also funds 4 fast response cutters, 2 maritime patrol aircraft, 40 medium-sized response boats, and includes funding for interagency operations centers, which are required by the Safe Port Act. And $4.2 billion is provided for first responder grants, including $800 million for fire grants, $887 million for urban area security grants, $950 million for State homeland security grants, with $350 million for emergency management performance grants.

Port security grants receive $350 million and transit/railroad/bus grants receive $356 million.

The bill also includes $399 million to combat the evolving cyber security threat.

Since its inception, the Department has had significant management problems.

The committee bill includes funding increases and clear direction to strengthen financial, procurement, and information technology systems at the Department of Homeland Security.

This is a good bill. By focusing on the five goals that Chairman BYRD established for this bill, we provide the resources and the information necessary to build confidence in our ability to secure the homeland. I urge adoption of the bill.

I yield the floor to the ranking Republican on this appropriations subcommittee, Senator VOINOVICH of Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. VOINOVICH. Madam. President, I thank Senator DURBIN. I would like to acknowledge the cooperation we received from Senator BYRD and his staff. We are pleased Senator BYRD is out of the hospital and recuperating at home. I appreciate the fact that the Senator from Illinois has stepped in to pinch-hit for him this morning.

I think the Senator from Illinois has done an outstanding job of covering the details of the bill. I would like to concentrate on some of the highlights I think need to be underscored.

The bill recommends a total of $44.3 billion in appropriations to support programs and activities of the Department of Homeland Security. Of this amount, $42.7 billion is for discretionary spending. This is roughly $145 million less than the President's total discretionary request and is consistent with the subcommittee's spending allocation.

In addition, $1.4 billion is provided for Coast Guard retired pay—the only mandatory funding in the bill—and $241.5 million is provided for Coast Guard overseas contingency operations, the same amount as requested by the President in the Department of Defense budget to be transferred to the Coast Guard and instead of being appropriated in the Defense Appropriations bill is being appropriated here.

The bill includes significant resources: for border security and enforcement of our immigration laws, for continued improvements in security at our Nation's airports and modes of surface transportation, for the Coast Guard's operations and Deepwater Program recapitalization efforts, for helping our citizens prepare for and recover from natural disasters, and for equipping and training our Nation's first responders.

As Senator DURBIN has indicated, there is much in this bill to recommend. I am pleased the Secretary of the Department of Homeland Security understands we have done our best to fund her priorities. I will not list all the bill's funding recommendations, but I do want to note some.

Full funding is provided for border security, including the funds to support 20,063 border patrol agents; 21,12 customs and border protection officers; 33,400 detention beds; and $800 million for continued work on the virtual border fence and improved radio communications.

Starting in fiscal year 2005, significant increases have been provided for border security and immigration enforcement. This bill alone provides an increase of $880 million from the fiscal year 2009 level, excluding emergency appropriations. Progress has been made with these investments.

Fewer people are illegally crossing our borders. This can be seen in the decrease in apprehensions of aliens along our borders—from 1,198,075 in fiscal year 2005 to 723,825 in fiscal year 2008. In other words, we have made it more difficult for 474,250 illegal aliens to cross our borders. More fencing, roads, and personnel have allowed the border patrol to increase the number of miles over which it has effective control—from 241 miles in October 2005 to 625 miles in October 2008. Additional agents and detention beds have allowed U.S. Immigration and Customs Enforcement to increase total removals of aliens—from 246,431 removals in fiscal year 2005 to 347,184 in fiscal year 2008. We are making progress but we still have a long way to go and at great expense.

In particular, I am pleased that the bill includes funds above the request to implement a biometric air exit capability. As the chief Senate sponsor of the Secure Travel and Counterterrorism Partnership Act of 2007, expanding and improving the Visa Waiver Program is one of my top priorities. The Visa Waiver Program has become an important national security tool because under that law, countries who participate in the program are required to share information on terrorists and criminals, report lost and stolen passports, and maintain high counterterrorism and document security practices. Since enactment of this law, 8 new countries have been accepted into the program and we are seeing improvements in the security practices of the 27 countries that were already participating.

I have just returned from Lithuania and Latvia, where I was joined by several other Members of the Senate, including Senator DURBIN. Lithuania and Latvia are two countries that were recently admitted into the visa waiver program. From a public diplomacy point of view, it has been a home run and has been well received by government officials and citizens alike.

I was up in Latvia. They pointed out to me that General Mullen was in Latvia, which should have been the biggest thing in the newspaper the next day, that he was there. The thing that blew him away was the fact that Latvia was approved for visa waiver status. It was so well received by the people of Latvia.

I must note however the two areas which continue to be of concern to me. One is the way this administration has budgeted for disasters. The President's fiscal year 2010 request for disaster relief is only $2 billion. We know now from FEMA estimates that this is not enough to pay for the declared disasters already on the books. Based on current needs, an appropriation of $5.8 billion is required. I understand we cannot afford that within the discretionary spending limits for this bill, but I am hopeful this is addressed in future budgets.

This administration has worked hard to break the cycle of requesting emergency funding for the wars in Iraq and Afghanistan. Yet no one has suggested fixing the way we budget for natural disasters. Last year alone, $11.757 billion in emergency supplemental appropriations were provided for disaster relief.

We cannot continue to ''kick the can down the road,'' relying on supplemental emergency appropriations to pay for known costs. Hurricane Katrina was a catastrophic event. Exceptions were made to regulations and policies to speed assistance to those struggling to recover from the enormity of the losses. But now these are becoming the standard rather than an ''exception to the rule,'' and the Federal taxpayers are picking up an ever increasing share of disaster recovery costs.

It is kind of interesting that at the time of Katrina I commented we were doing some things we ordinarily do not do in a FEMA environment and predicted that what we were doing at Katrina would become the role model for other disasters that have been experienced by States. The fact is, more and more States are now asking for

more and more FEMA money, saying: You did it in Katrina, why can't you do it in Texas? Why can't you do it wherever else we have a disaster? This has to change if we are going to handle Federal spending and do something about the deficit.

In addition, this bill provides almost $16 billion for border and immigration enforcement. That does not even include Coast Guard funding to protect our maritime borders. This is a 99.6-percent increase for U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and US-VISIT from fiscal year 2004 levels in the first Department of Homeland Security Appropriations Act.

It is a significant increase. I think the citizens of our country should know that. They have been saying, for a long time, that we have not been doing the job in enforcing the security of our borders. I must tell them we are doing a much better job than ever before because we are allocating the resources to get the job done.

As we have increased the resources for border I have often wondered if there was another way we can secure our borders and deal with 11 or so million illegal immigrants other than by drastically increasing the resources for border and immigration enforcement. In fiscal year 2008, the Federal Government removed 347,184 individuals. In fiscal year 2009, $5.6 billion is available to locate, detain, and remove unauthorized aliens. At the current pace of removals, it could require a further investment of $272 billion and 31 years to locate and remove the estimated 11 million unauthorized aliens in the United States. We must ask whether we are willing or can afford to make that kind of investment in enforcement rather than investing time in comprehensive immigration reform.

I appreciate very much the courtesies of the distinguished Senator from West Virginia and his staff and all members of the Appropriations Committee during our preparation of this bill. I believe it reflects our careful consideration of the President's budget request for the Department and our best effort to address the Department's resource requirements of the Department for the coming fiscal year. I look forward to considering amendments which Senators may suggest to the bill and to work throughout the appropriations process to ensure the Department has the funds to carry out its duties and responsibilities.

In closing, I would point out that the President's budget was received on May 7 and the Appropriations Committee is working diligently to move forward on the passage of our 12 appropriations bills. Two of the 12 fiscal year 2010 appropriations bills were reported by the committee on June 18—including this Homeland Security bill—and 2 more were reported on June 25. Another five of the appropriations bills are scheduled to be considered and reported by the committee this week—two this afternoon and another three on Thursday.

The House considered and adopted its version of the fiscal year 2010 Department of Homeland Security Appropriations bill on June 24. It is unfortunate that Senate consideration of this bill could not have occurred that same week, which would have put us in a position now to go to conference with the House.

Expeditious consideration of the fiscal year 2010 appropriations bills by the Senate is required if the Congress is to complete its work on all twelve of the appropriations bills by the October 1 start of the fiscal year. I have long been concerned about our failure to complete our appropriations work on time and the consequences of inaction, and I intend to speak at greater length on that during our consideration of this bill.

But, I do want to note here that a letter, dated March 24, 2009, to the majority leader, which included the signatures of all Republican Members, asked that the legislative schedule for this session:

> . . . allocate an appropriate amount of time for the Senate to consider, vote and initiate the conference process on each of the 12 appropriations bills independently through a deliberative and transparent process on the Senate floor.

The letter goes on to point out that:

> For a variety of reasons, over the past several years, the Senate has failed to debate, amend and pass each of the bills separately prior to the end of the fiscal year. Far too often this has resulted in the creation of omnibus appropriations bills that have been brought to floor so late in the fiscal year that Senators have been forced to either pass a continuing resolution, shut down government or consider an omnibus bill. These omnibus bills have not allowed for adequate public review and have clouded what should otherwise be a transparent process.

The letter further points out that President Obama, on March 11, 2009, said that he expects future spending bills to be

> . . . debated and voted on in an orderly way and sent to [his] desk without delay or obstruction so that we don't face another massive, last minute omnibus bill like this one.

So let us proceed with this bill and debate and dispose of amendments Senators may wish to offer to it without unnecessary delay to allow us to complete our appropriations work this session. And, I would like to add that it is incumbent on our side of the aisle to make sure our amendments are relevant and germane.

I recommend this bill to my colleagues for their consideration and support, and I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Madam President, today the Senate begins its consideration of the Homeland Security appropriations bill which was passed by the House and marked up by the Senate Appropriations Committee late last month. This week the Committee on Appropriations will meet, to consider five additional appropriations bills.

Over the next several weeks we expect to have many of these bills debated and hopefully passed by the Senate so that we can begin final conference deliberations on these critically important measures.

The bill before the Senate was prepared by our Homeland Security Subcommittee chaired by Senator ROBERT BYRD.

Senator BYRD along with this ranking member Senator VOINOVICH of Ohio and all the subcommittee members crafted this bill which provides $42.7 billion in discretionary spending for the critical programs to defend our Nation, protect our borders and coastline, and respond to natural disasters.

The amount represents a 7 percent increase over the funding provided in fiscal year 2009, but is approximately $150 million less than requested.

An additional $241 million is also included in the bill for the overseas contingency operations of the Coast Guard. This sum was requested in the defense bill for the same purpose.

Our colleagues should thank Senators BYRD and VOINOVICH for completing their hard work on this bill. The bill was marked up by the committee 3 weeks ago and approved on a unanimous bipartisan vote.

As the Senate reviews this and the other spending bills which will soon follow I urge it to be mindful of the importance of this task.

It is imperative to the efficient operation of our Federal Government that we move to pass this measure and complete a conference with the House. For too long we have relied on cumbersome omnibus spending measures to fund our Federal agencies.

In order to break this habit, the Appropriations Committee will continue to report noncontroversial bipartisan bills which will be within the congressionally approved budget levels and should be considered expeditiously by the Senate. Passage of this bill quickly will demonstrate the Senate's ability to act responsibly and collegially in fulfilling its constitutional responsibilities.

The bill before the Senate deserves the support of every Member of this body. It is a clean bill free of unnecessary legislative riders. It is within the committee's spending allocation and $150 million below the amount requested. I strongly recommend its approval.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

AMENDMENT NO. 1371 TO AMENDMENT NO. 1373

Mr. SESSIONS. Madam President, I have an amendment at the desk, No. 1371, and would ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

> The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 1371 to amendment No. 1373.

Mr. SESSIONS. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To make the pilot program for employment eligibility confirmation for aliens permanent and to improve verification of immigration status of employees)

On page 72, strike lines 8 through 14 and insert the following:

SEC. 545. Section 144 of the Continuing Appropriations Resolution, 2009 (division A of Public Law 110–329; 122 Stat. 3581), as amended by section 101 of division J of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 988), is further amended by striking ''September 30, 2009'' and inserting ''September 30, 2012''.

SEC. 546. Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note) is amended by striking ''Unless'' and all that follows.

SEC. 547. The head of each agency or department of the United States that enters into a contract shall require, as a condition of the contract, that the contractor participate in the pilot program described in 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–209; 8 U.S.C. 1324a note) to verify the employment eligibility of—

(1) all individuals hired during the term of the contract by the contractor to perform employment duties within the United States; and

(2) all individuals assigned by the contractor to perform work within the United States the under such contract.

SEC. 548. (a)(1) Sections 401(c)(1), 403(a), 403(b)(1), 403(c)(1), and 405(b)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note) are amended by striking ''basic pilot program'' each place that term appears and inserting ''E-Verify Program''.

(2) The heading of section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended by striking ''BASIC PILOT'' and inserting ''E-VERIFY''.

(b) Section 404(h)(1) of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (Public Law 104–208; 8 U.S.C. 1324a note) is amended by striking ''under a pilot program'' and inserting ''under this subtitle''.

Mr. SESSIONS. This is an amendment to make permanent the E-Verify system that is supported by Secretary of Homeland Security Napolitano and would require that all governmental contractors who do work for the Federal Government use it before they hire people to ensure that the individuals they hire are Americans and not illegally in the country.

At a time when our unemployment rate is now 9.5 percent, this is more important now than ever.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

SENATOR-ELECT AL FRANKEN

Ms. KLOBUCHAR. Madam President, today, a new Senator from Minnesota is being sworn in. It is my honor, along with former Vice President Mondale, to escort AL FRANKEN as the new Senator from our State. I think it was AL who told me the third year of his campaign would be the best, and he was right.

I did want to thank my staff, first of all—some of them, many of them, are here—for the hard work they did in the past 6 months doing double duty. They never complained, they did it without extra resources, and they are as happy as can be this has finally been resolved.

I also wanted to say something about Norm Coleman. Last week, he made a difficult decision. He had the right to pursue a legal challenge, but he did what was right for Minnesota. Norm was my Senate colleague for 2 years. We often worked together on issues for Minnesota, and we all wish him and his family the best.

So despite a little delay, to be exact, 246 days since election day and 183 days since the Senate convened—why would I know that—AL FRANKEN now joins me in representing the State of Minnesota. I have gotten to know AL very well over the past few years. I know he will be getting acquainted with his fellow Senators in the coming weeks and the coming months. This a special place with special people. I know AL looks forward to working with every Member of the Senate.

I also know AL arrived in Washington ready to get to work and ready to serve the people of Minnesota. He brings with him that same high energy and passion and idealism of our friend Paul Wellstone.

I was telling AL when I first came to the Capitol I was stunned at how many people would come up to me, when I said I was a Senator from Minnesota, and say: That is where Paul Wellstone was from. It was not just other Senators, it was people such as the tram operators, the secretaries at the front desk, the cops who work on the front line. They remembered Paul because of his dignity and how he treated people. And AL, I know, will do the same.

Before seeking elected office, AL had a full career. Among other things he was an Emmy Award-winning television writer and producer, a best-selling author with three of his books going to the very top of the New York Times Bestseller List. He was the host of a national radio show and a Grammy Award-winning satirist, who, with the USO, has gone overseas several times—seven times in fact. He went four times to Iraq to entertain our troops and to visit our wounded solders.

We all know AL spent some time in comedy, but during this long campaign, he has demonstrated to Minnesotans that he takes his job very seriously. I know he is taking his new job as a Senator incredibly seriously.

AL's heart is with middle-class families who work hard, live responsibly, and follow the rules. He knows their hopes and fears, their dreams and their struggles. He knows it because he has lived it.

When AL was 4 his family moved to the town of Albert Lea in southern Minnesota. AL always tells the story about that move. His dad never graduated from high school and never had a career. But his mom's father owned a quilting business out East, and he gave AL's dad a chance to start up a factory in Albert Lea. After about 2 years the factory failed, and AL's family moved to the Twin Cities. Years later, AL asked his dad: Dad, why Albert Lea?

His dad said: Well, your grandfather wanted to open a factory in the Midwest, and the railroad went right through Albert Lea.

So then AL asked: Why did the factory fail?

His father said: Well, it went through Albert Lea, but it didn't stop in Albert Lea.

Eventually the family, including AL and his older brother, settled into a two-bedroom, one-bathroom home in the Minneapolis suburb of St. Louis Park. His father became a printing salesman and his mom was a homemaker and worked as a real estate agent. Because of the security and opportunity his family enjoyed living in America, he says he felt like the ''luckiest kid in the world.''

While AL likes to tell jokes, and he has some good ones, he is not one to make fun of family values because there is no husband or father who is more devoted to his family than AL is.

He met his wife—I see her right now up there in the gallery—Franni during his first year at college. They have been married 33 years, and together they have raised two children.

AL often tells the story about Franni's family. Her dad, a decorated World War II veteran, died in a car accident when she was 17 months old. Her dad left her mom suddenly widowed and alone with five children.

It was a lesson for the family, and it was an example of how one family pulled themselves up with help. He knows how difficult it is for so many families who are struggling to make it, squeezed over high health care costs, college costs, housing costs.

During the past 2 years, AL has traveled to every corner of Minnesota, from the Iowa border to the Canadian border. He has had coffee at the Main Street cafes, and he has spoken at local bean feeds. He has toured homegrown businesses, and he has stood with workers. He has been to veterans halls, and he has gone to college campuses.

He has been there day in and day out listening to the people of Minnesota. Now he has the honor and the responsibility to serve them in the U.S. Capitol. The Senate is an old and established institution. For any newcomer, it takes some getting used to the arcane rules and unique customs, but I am confident AL can adapt.

This is a big moment for Franni and their kids as well. AL and his friends and relatives have been waiting for a while. The State has been waiting. The Senate has been waiting. But, most importantly to me, Franni has been waiting.

My favorite image from the last few months was this idea that Franni had actually packed a bag with her toothbrush in it; that she had it right next to her bedside in case at any moment the court would come with a decision and she and AL would have to rush to Washington so he could take a critical vote.

Well, today the time has come and AL will cast his first vote. If there is any silver lining to the past 8 months, it is that AL has had time to prepare for this moment. The times are tumultuous, the stakes are high, and history will forever judge whether we fail or succeed, whether we are courageous or timid.

AL FRANKEN is ready for this job. It is time to get to work, and, AL FRANKEN, there is a desk waiting for you in the Senate.

I yield the floor.

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

The VICE PRESIDENT. Without objection, it is so ordered.

CERTIFICATE OF ELECTION AND CREDENTIALS

The VICE PRESIDENT. The Chair lays before the Senate the certificate of election for a 6-year term, beginning January 3, 2009, for the representation of the State of Minnesota. The certificate, the Chair is advised, is in the form suggested by the Senate. If there is no objection, the reading of the certificate will be waived, and it will be printed in full in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF MINNESOTA

Executive Department

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the fourth day of November, 2008, Al Franken was duly chosen by the qualified electors of the State of Minnesota a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2009.

Witness: His excellency our governor Tim Pawlenty, and our seal hereto affixed at Saint Paul, Minnesota this 30th day of June, in the year of our Lord 2009.

By the governor:

TIM PAWLENTY,
Governor.
MARK RITCHIE,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator elect will present himself at the desk, the Chair will administer the oath of office as required by the Constitution and prescribed by law.

The Senator elect, escorted by Mrs. KLOBUCHAR and former Vice President Walter Mondale, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senator.

(Applause, Senators rising.)

The PRESIDING OFFICER (Mrs. GILLIBRAND). The majority leader.

MAJORITY PARTY COMMITTEE MEMBERSHIP

Mr. REID. Madam President, I have a resolution at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 208) to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen.

The PRESIDING OFFICER. Without objection, the resolution is considered and agreed to.

The resolution (S. Res. 208) was agreed to, as follows:

S. RES. 208

Resolved, That the following shall constitute the majority party's membership on the following committee for the One Hundred Eleventh Congress, or until their successors are chosen:

COMMITTEE ON THE JUDICIARY: Mr. Leahy (Chairman), Mr. Kohl, Mrs. Feinstein, Mr. Feingold, Mr. Schumer, Mr. Durbin, Mr. Cardin, Mr. Whitehouse, Ms. Klobuchar, Mr. Kaufman, Mr. Specter, and Mr. Franken.

Mr. DURBIN. I move to reconsider the vote.

Mr. NELSON of Florida. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Madam President, under the authority granted pursuant to S. Res. 18, I announce that Senator FRANKEN has been assigned to the following committees: the Committee on Indian Affairs, the Select Committee on Aging and, as was just agreed to, the Committee on the Judiciary. As soon as the markup is completed in the HELP Committee on the health care bill, he will go on to the HELP Committee.

RECESS

Mr. REID. Madam President, I ask unanimous consent that we recess 10 minutes early today.

There being no objection, the Senate, at 12:20 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Acting President pro tempore.

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

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

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. 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.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010—Continued

AMENDMENT NO. 1371

Mr. SCHUMER. Mr. President, I rise in opposition to Senator SESSIONS' amendment to the Department of Homeland Security appropriations bill. The Sessions amendment would make E-Verify permanent and would immediately mandate all Federal contractors and subcontractors to use E-Verify.

First of all, obviously, legislating on and delaying a critical appropriations bill, which is necessary for us to pass quickly to secure our borders, ports of entry, and our interior points of vulnerability, is a delay we do not need. But, secondly, and more importantly, despite claims that this amendment only seeks to reauthorize E-Verify for 3 years, which I do not oppose, the actual language of the amendment of my distinguished colleague would make E-Verify permanent and mandatory.

There would be nothing wrong with that if the system actually worked, but it does not. The distinguished Senator from Alabama and I agree upon one of the main seven principles for immigration reform which I issued 2 weeks ago; namely, that an employer verification system with tough enforcement and auditing is necessary to significantly diminish the job magnet that attracts illegal aliens to the United States. The bottom line is that they mainly come for jobs, and until they are tough on employers, wave after wave is not going to stop.

As we speak, even under the E-Verify system, any individual who steals a Social Security number—and that is easy these days—and has access to a credible fake ID can get a job in the United States. What is more, nothing about E-Verify stops a U.S. citizen from ''loaning their identity'' to their friends and family to get a job. In either of these cases—an illegal immigrant stealing a Social Security number and getting a fake ID done or some citizen, an employer or whatever, giving a Social Security card to the person—it doesn't do the job because that illegal immigrant can enter into the system. Once they are in the system, they stay in it, never to be removed. So E-Verify, frankly—and I know many in the immigrant community object to it because it only affects immigrants. But there is also another objection, and that is that it is just not tough enough, it is not strong enough. If we are going to make a system permanent, it really ought to work.

The current E-Verify system creates havoc for both employers and employees. No one has any certainty. Employers who accept all credible documents in good faith are not guaranteed they will never be targeted by ICE for turning a blind eye toward illegal immigrants in their workplace, and employers who question suspicious documents face potential lawsuits from U.S. citizen employees who can claim they were wrongly profiled as illegal immigrants.

There is only one way to really get a system that will stop illegal immigration and stop employers from hiring, and that is by creating a biometric-based Federal employment verification system that will give both employers and employees the peace of mind that employment relationships are both lawful and proper. It will also give the American people the same peace of mind. This system will be our most important asset in dramatically reducing the number of illegal aliens who are able to live and work in the United States.

There are many proposals for practical and effective biometric-based employment verification systems, and the immigration subcommittee, which I chair, will be vetting each proposal during our upcoming hearing on July 22. The distinguished Senator from Alabama, my friend, is a member of the immigration subcommittee. I invite him to engage in this critical process for our country during the hearing and ask all of the questions he would like to the distinguished panel of expert witnesses who will be appearing. We are not seeking to delay. I am eager to enact comprehensive reform with a strong, tough employer verification system.

An amendment making the flawed E-Verify system permanent and mandatory will only create more problems than it solves. Once we go down the road of making this flawed system permanent and mandatory, without fixing what is wrong with the program, we will waste substantial amounts of taxpayer money and we will make life more difficult, rather than simpler, for employers who wish to do the right thing, and for employees.

The time is coming for comprehensive immigration reform. The legislation will create the best employment verification system possible that will be a product of deliberation and consensus and will be informed by the world's foremost experts on this issue. It will be tougher, tighter, and more effective than E-Verify. I believe we can get that done this year.

Let's not do something hasty and counterproductive just to say we are doing something, and, just as important, let's not do it as an amendment to an appropriations bill. I urge my colleagues to vote against this amendment, and let's get to work on crafting an employer verification system that really works, prevents identity fraud, and actually curtails the illegal immigration job magnet.

I yield the floor and suggest the absence of a quorum.

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

The assistant bill clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, I ask unanimous consent to speak as in morning business.

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

CAP AND TRADE

Mr. THUNE. Mr. President, like many of my colleagues, last week, over the Fourth of July break, I spent much of the week traveling in my State of South Dakota. Many of my colleagues were in their individual States and probably heard a lot from their constituents about what they perceive to be the challenges facing our country's economy. First and foremost is jobs and the economy.

I think there is a real concern—and rightly so—about in which direction the economy is headed and what are the things Congress ought to properly be focused on, and I think that discussion is always informed by the American people by commonsense realizations. One realization is that you cannot spend money you don't have. That is something I think the American people get very clearly, largely because that is their reality. They cannot spend money they don't have. They have to live within a budget. The same is true with many small businesses. The second realization is that when you borrow money, someday you have to pay it back. You cannot continue to borrow endlessly and rack up more and more debt. At some point, there is an end to that. Certainly, that is true for family budgets and small business budgets. The only place it is evidently not true is in Washington, DC, where we continue to borrow and spend and put massive amounts of borrowing and debt upon future generations. Even most State governments—mine included—have balanced budget amendments that require them in any given year to make sure the revenues they take in match up with expenses. If they don't do that in South Dakota, the legislature has to stay until the budget is balanced. So most Americans, as they observe what is happening in Washington these days, are increasingly concerned by the massive amounts of spending and borrowing and, frankly, the taxes they perceive to be in their future as well.

One of the things that is clear to me in doing parades and public events over the Fourth of July break is how much people picked up on the debate about the cap-and-trade bill, which is a national energy tax on the American people. It passed in the House a little over a week ago—before the break—by a seven-vote margin. There was big pressure to move it very quickly and jam it through the process. It was over 1,200 pages long. One amendment was 300 pages long. There weren't many Members of the House—before the bill passed—who had an opportunity to review it and study it closely to determine what the ramifications will be on their constituents if the bill passed. Yet it did. It was a very close vote. At some point, it will be considered by the Senate.

The one thing we know, at a minimum, is that we can debate about how much or how big the cost of that bill will be, but we do know it is going to impose significant increases in costs on the American public for power, whether it is electricity, fuel, natural gas, or home heating oil—the things the American people depend upon every single day for their very existence. They are going to see the cost of those things go up if this cap-and-trade bill passes. We have seen different estimates by different organizations. The most recent one was done by the CBO, which concluded that it will have a $700 billion impact. I think that if you reduced it to a per-family cost, it ends up being several hundred dollars a year in increased rates that they are going to pay. I argue that it will be much higher for people in the Midwest, where I come from, because of the way we derive our power. Most of it comes from coal-fired power. It is true that we get a good amount in South Dakota and other States around us get even more from those sources. There will be additional costs imposed upon the people in the Midwest, where the people on the west or east coasts may not see their costs go up as much. This will disproportionately impact people in the heartland, but everybody's electricity costs and fuel costs are going up if this passes.

The American people are asking: OK, if you are going to put a massive new tax on us with a new energy tax, what kinds of benefits do we derive? I think there is increasing concern and questions being raised about whether the environmental benefit that would be derived as a result of this massive new tax on energy in this country would be in any way close to the cost that would be associated with it. I think most Americans have concluded that it will not. Most of the data bears that out. Other countries in the world are not going to participate in this system, and America will be unilaterally implementing this regime, if passed, and the Americans will pay the costs for little benefit.

There are many ways you can get reduction in carbon emissions, and we are all looking for ways to reduce pollutants in the atmosphere. You can give incentives and drive investment in certain directions, and we could make more use of nuclear power, which is clean, green energy—something we do very little of relative to our counterparts in other parts of the world.

France gets 80 percent of its power from nuclear energy. There is no reason why the United States could not turn to that clean, green energy source, as well as renewable energy sources that we have an abundance of in my part of the country, such as wind energy. If you put in incentives and drive investment in that direction, you can achieve the same ends without putting the big cap, top-down government mandate on the American economy at an enormous cost to the American consumers.

HEALTH CARE

That is the issue, I would say, probably as much as anything else I have heard people talk about, but not far behind it was this notion that the government is now going to take over one-sixth of our economy because of the legislation that is moving through the Congress right now that would ''reform'' our health care system.

It is, I guess, no surprise to most Americans that we spend a lot on health care. Most of us would like to see us spend less on health care. Many of us think we can do that, that we can get costs under control, that we can do it through reforms that preserve what is good about the American health care system, that doesn't copy what is happening in other places around the world, Europe being an example, where care is rationed, where people don't have access to the types of therapies and treatments because the government decides what procedures are going to be covered, which procedures are cost-effective.

Those are decisions made by government. In this country, those are decisions made by patients and doctors, by physicians, by health care providers and those they serve. We believe that is a basic relationship we ought to preserve when we talk about reforming our health care system.

But most Americans are very concerned that the government may take over one-sixth of the American economy and run it, imposing the government in the place of, as I said before, what has typically been a relationship between physicians and patients.

What I would argue is that whether it is the issue of new energy taxes on the American consumer, whether it is the issue of the government taking over the health care system in this country at a minimum cost of $1 trillion—there was a CBO Congressional Budget Office report that came out recently that said the new plan the Democrats are unveiling may only be $600 billion, but it also doesn't include many of the most costly parts of the plan that we expect the Democrats to put on the floor of the Senate at some point in the not too distant future.

I will simply say again that based on the feedback I got from people across this country and people across South Dakota in particular over the break, the government takeover of health care in this country is something with which they are very uncomfortable, and they don't want to pay trillions of dollars in new taxes to make that possible.

If you talk about the amount of spending that is going on, the amount of borrowing we are doing from future generations, I think most Americans come back to those two basic principles I mentioned earlier, what I call our sort of commonsense conclusions that the American people come to. One is, you cannot spend money you do not have, and they see Washington doing that every single day; that when you borrow money, at some point you have to pay it back. And there is borrowing going on here right now like there is no tomorrow.

The health care entitlement program, if passed, would be a minimum of $1 trillion in new spending and would either have to be financed by tax increases, by revenue raisers the economy is going to pay for at a time we can least afford it, or by borrowing at a time when we are running over the next decade at least on average $1 trillion a year in deficits.

We cannot continue on this path. It is unsustainable. I believe the American people are coming to that realization. I hope the Senate will put the brakes on this energy tax, will put the brakes on this massive rush to take over one-sixth of our economy by taking over the health care system in this country.

I believe as the American people start to weigh in to this debate those of us in Washington who are in positions to make some of these policies and shape some of these policies will be getting an earful, and I hope so because we need to put the brakes on this massive takeover of the health care system, and we need to put the brakes on this cap and trade, this energy tax imposed on the American people, if it is passed in the Senate as it was a week ago in the House of Representatives.

I hope we can stop those things. I hope at least we can bring some sense to the debate about health care that does reform our system, that does get costs under control, that does not allow the government to get in the way of making decisions that rightfully ought to be made by patients and their doctors.

I yield the floor and yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I thank my colleague, Senator THUNE, for pointing out, again, the disastrous course we are on as a nation with the level of spending, borrowing, and debt we are creating and the amount of government intrusion into so many areas of our economy that have alarmed so many Americans. I appreciate the Senator bringing up that issue today.

AMENDMENT NO. 1399 TO AMENDMENT NO. 1373

I rise today to express my grave concerns about the administration's response to the situation in Honduras. There are few absolutes in the arena of diplomacy and international affairs. As circumstances and regimes change, so do our interests and allegiances. But one principle that should stand as a bedrock constant is this: a friend of freedom is a friend of America. Our commitment to freedom is not confined to a culture or a continent. It is absolute and universal.

It was this principle, hardwired into our DNA, that President Obama appeared to violate during his 8 days of silence while innocent democratic demonstrators were tortured and murdered in the streets of Tehran by Iran's tyrannical regime.

Thankfully, the President finally changed his rhetoric and offered some support to the people of Iran risking their lives for their freedom. But he stopped short of any criticism or action that might be construed as ''meddling,'' in his words, in the domestic affairs of a sovereign nation.

But in the last week, the President has reversed course, meddling up to his ears in the domestic affairs of another sovereign nation, Honduras. Depressingly, the President has once again sided with an illegitimate and anti-American autocrat over democracy, the rule of law, and an oppressed people who only want to be free.

The facts on the ground in Honduras are neither disputed nor confusing, but they have been largely ignored by an international media distracted by the death of a celebrity.

Let me read these facts into the record.

Honduras is a constitutional republic and a longtime ally of the United States. It is one of the poorest nations in the Western Hemisphere, especially since it was ravaged by the direct hit of Hurricane Mitch in 1998.

In 2005, Hondurans elected as their President Manuel Zelaya, a left of center but seemingly moderate candidate from the Liberal Party. Given Latin America's troubling history of military coups and self-appointed Presidents for life, the Honduran Constitution strictly limits Presidents to one term.

So seriously do Hondurans take their Presidential term limits that in Latin America, the phrase—and I will butcher this Spanish, but I want to give it a try—''continuar en el poder.'' It means to continue in power. It carries with it a dark connotation to the region for everyone living there.

For a President to overthrow the Constitution and violate term limits is violating the constitutional form of government. So seriously that article 238 of the Honduran Constitution says any President who even proposes an extension of his tenure in office ''shall immediately cease performing the functions of his post.'' So it is a de facto resignation of office in Honduras for a President to attempt to do what their President did.

Zelaya's 2005 campaign was supported by Hugo Chavez, the Marxist Venezuelan dictator bent on amassing

power in the Western Hemisphere at the expense of what he calls ''the North American empire.'' That is us.

Zelaya quickly aligned his government with Chavez's and joined anti-American socialists, such as the Castro brothers in Cuba and Daniel Ortega in Nicaragua, in Chavez's economic cartel.

With Zelaya's term coming to an end early next year, Chavez convinced him to do as he has done in Venezuela: to force a constitutional amendment extending his Presidential term. This would be in direct violation of what their Constitution says.

Earlier this year, Zelaya called for a referendum to initiate a constitutional convention. In the ensuing litigation, the Honduran courts ruled the referendum was unconstitutional and illegal, as the Honduran Constitution explicitly gives only its Congress the power to call such a vote.

Zelaya forged ahead, calling his referendum a ''nonbinding survey.'' This, too, the supreme court found unconstitutional.

Zelaya then ordered the head of the Honduran military, General Vasquez, to conduct the election anyway. Vasquez expressed concerns about the vote's legality, so Zelaya fired him.

The supreme court ordered Zelaya to reinstate Vasquez, and Zelaya refused. The supreme court ordered the military to seize the referendum ballots to prevent Zelaya from going ahead with the illegal vote. Zelaya then personally led an armed mob to steal back the ballots, which, it should be noted, were suspiciously printed in Venezuela. Zelaya ordered his government to set up 15,000 polling places to conduct the referendum for June 28.

On Friday, June 26, the Attorney General of Honduras, Luis Rubi, filed a complaint before the Honduran Supreme Court petitioning for an arrest warrant for President Zelaya. The court issued the warrant unanimously and, according to the Constitution, ordered the Honduran military to execute it.

Early in the morning of Sunday, June 28, the day of the vote, the military arrested President Zelaya at his home. They put him on a plane to Costa Rica, as Honduras has no prison capable of withstanding a mob riot of the sort they feared Chavez and Ortega might whip up. So they did it for his safety.

That same day, the Honduran Congress, controlled by his Liberal Party—his own party—voted 125 to 3 to replace Zelaya with their speaker, Roberto Micheletti, as a member of the Liberal Party. This transfer of power was strictly in keeping with Honduras's constitutional line of succession as the Vice President had recently resigned.

The regularly scheduled general elections remain set for this November, and interim President Micheletti is not a candidate. The previously nominated candidates from the two major parties remain on the campaign trail, and both candidates and parties overwhelmingly approved the ouster of Zelaya.

At every step in the process, the legitimate democratic government strictly adhered to the Honduran Constitution and civilian leadership of the military remained intact. The military did not execute a coup. It thwarted the coup plotted by Hugo Chavez and implemented by Manuel Zelaya.

Honduras's democratic institutions are operating today, and its government functions are secure. The only aggrieved party in this process is Mr. Chavez, whose brazen attempts to corrupt Honduran democracy was thwarted by what has now been nicknamed ''the little country that could.''

The people of Honduras stood up to Hugo Chavez, Daniel Ortega, the Castro brothers, and they stood up for freedom and the rule of law. For their courage, President Obama has condemned them. He has called the constitutional ouster of President Zelaya not legal, claiming an expertise in Honduran law over and above that of a unanimous Honduran Supreme Court and a nearly unanimous Honduran Congress.

Secretary of State Clinton lazily joined the international media in calling the removal of President Zelaya ''a coup,'' a term fraught with dark memories of military juntas and banana republic. Of course, this is the same administration that insists on calling the recent fraud in Iran an election.

The Obama administration joined Chavez's preposterous Soviet-style propaganda resolution in the Organization of American States condemning Honduran democracy. Hondurans I have spoken with—I have spoken with a number of folks who have missionary groups there, medical groups. I have talked to Miguel Estrada who was born and raised in Honduras and is now a constitutional expert in this country. This morning I talked to former Honduran President Ricardo Maduro. They are all totally befuddled at the strange response they are getting from the supposedly free world, including our own administration. Why are we siding with Hugo Chavez?

This morning in Russia, President Obama reiterated his support for Zelaya, the would-be dictator, as the rightful President of Honduras. According to ABC News, he said:

> America supports now the restoration of the democratically elected President of Honduras, even though he has strongly opposed American policies.

Continuing with the quote from President Obama:

> We do so not because we agree with him. We do so because we respect the universal principle that people should choose their own leaders, whether they are leaders we agree with or not.

The President appears to think his support for Zelaya is based on some principles of self-determination. He speaks as if opposition to Zelaya is based on partisan political differences. Zelaya was not ousted by political enemies; he was ousted by a government controlled by his own party. He was ousted by a unanimous supreme court operating in accordance with the Honduran Constitution and in conjunction with the nation's attorney general and Supreme Electoral Tribunal. These folks followed the rule of law.

The Honduran people have chosen their own leaders. Those leaders—in a constitutional, bipartisan, and nearly unanimous process—removed Manuel Zelaya from office. The Honduran people have upheld our President's so-called universal principle. The people seeking to undermine that principle are Hugo Chavez, the Castro brothers, Daniel Ortega, Mel Zelaya, and—unbelievably—the Obama administration.

This is not about politics. This is about the rule of law, freedom, and democracy, all of which are being defended by the Hondurans right now against their enemies—of which we appear to be one. Why are we not standing with them? Blood was shed in Iran while we stood idly by. Zelaya's return to Honduras on a Venezuelan jet and with the moral authority of the United States will almost certainly lead to more bloodshed. What are we doing on the side of tyrants and sworn enemies of freedom; going as far, on their behalf, to threaten economic sanctions against one of our poorest and bravest allies?

Secretary of State Clinton is reportedly planning a meeting with Mr. Zelaya in Washington this week. I implore her to reconsider that meeting. Elevating an impeached and disgraced autocrat is more than an insult to Honduran democracy, it is a green light to other would-be Chavezes around Latin America. It is a signal to the enemies of democracy and freedom that the United States no longer stands as a beacon of liberty. It is a signal that the rule of law is now passe in Latin America and that Hugo Chavez and his corrupt and brutal idealogy has free rein to meddle wherever he pleases in the Western Hemisphere.

What do we stand for, if not for freedom, democracy, and the rule of law? Where is the spine of the administration to stand up to anti-American and antidemocratic thugs in our own back yard? Where is the intellectual clarity to see the facts on the ground as they are? Manuel Zelaya is a criminal, a constitutionally removed former President of a proud and noble country. To my knowledge, no administration official has refuted or even grappled with the facts regarding Zelaya's attempted coup.

Given those still undisputed and documented facts, on what basis does the administration demand Zelaya's reinstatement? His removal from office was no more a coup than was Gerald Ford's ascendance to the Oval Office or the election to the Senate of our newest colleague, Al Franken. It is bad enough that the President's ad hoc and highly personalized foreign policy seems to be less about supporting the

rule of law than it is about supporting particular rulers. But the last 4 weeks suggest that the President cannot even be counted upon to support our legitimate allies.

What happened in Honduras last week was not a tragedy, it was a triumph of democratic courage and the unyielding determination of a free people to stand up to despotism. The tragedy has been the failure of the West and of our own government in Washington to stand up for justice and freedom in Latin America.

It is not too late. I have written to Secretary Clinton, and there is growing congressional support for the legitimate government in Honduras. Everywhere I go someone comes up to me and tells me to stand up for freedom in Honduras. There is still time to look at the facts, even to visit Honduras itself. Call down there, talk to the people, even Americans in the Peace Corps or on missionary work, and ask them if they are living under an oppressive military junta. They will laugh and tell you they are living under an independent and vibrant democracy, with a representative government led by people they elected. They will tell you about the free and open debate in the ongoing Presidential campaign and whom they are supporting in the November elections.

There is still time to correct our position and support our true allies. And because we can, we should. We must. Because today—and I will try my Spanish again—''un amigo de libertad es un amigo de Honduras''—a friend of freedom is a friend of Honduras.

Mr. President, before I yield, I ask unanimous consent to set aside the pending amendment and call up the DeMint amendment.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Is there objection?

Hearing no objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 1399 to amendment No. 1373.

Mr. DEMINT. I ask unanimous consent to dispense with the reading of the amendment.

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

The amendment is as follows:

(Purpose: To require the completion of at least 700 miles of reinforced fencing along the southwest border by December 31, 2010)

At the appropriate place, insert the following:

SEC. ____. BORDER FENCE COMPLETION.

(a) MINIMUM REQUIREMENTS.—Section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended—

(1) in subparagraph (A), by adding at the end the following: ''Fencing that does not effectively restrain pedestrian traffic (such as vehicle barriers and virtual fencing) may not be used to meet the 700-mile fence requirement under this subparagraph.'';

(2) in subparagraph (B)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) not later than December 31, 2010, complete the construction of all the reinforced fencing and the installation of the related equipment described in subparagraph (A).''; and

(3) in subparagraph (C), by adding at the end the following:

''(iii) FUNDING NOT CONTINGENT ON CONSULTATION.—Amounts appropriated to carry out this paragraph may not be impounded or otherwise withheld for failure to fully comply with the consultation requirement under clause (i).''.

(b) REPORT.—Not later than September 30, 2009, the Secretary of Homeland Security shall submit a report to Congress that describes—

(1) the progress made in completing the reinforced fencing required under section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by this Act; and

(2) the plans for completing such fencing before December 31, 2010.

Mr. DEMINT. Mr. President, I will speak to the amendment later. I see a colleague wanting to speak and so I will yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, what is the pending business?

The PRESIDING OFFICER. The DeMint amendment No. 1399.

Mr. MCCAIN. And the underlying legislation is the Department of Homeland Security appropriations bill?

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 1400 TO AMENDMENT NO. 1373

Mr. MCCAIN. Mr. President, I ask unanimous consent to set aside the pending amendment and to call up amendment No. 1400.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 1400 to amendment No. 1373.

Mr. MCCAIN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To eliminate the appropriation for the Over-the-Road Bus Security Assistance, as recommended by the Administration)

On page 31, line 19, strike all through page 32, line 3, and insert the following:

(6) $350,000,000 shall be for Public Transportation Security Assistance and Railroad Security Assistance under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53; 6 U.S.C. 1135 and 1163), of which not less than $25,000,000 shall be for Amtrak security.

Mr. MCCAIN. Mr. President, the Department of Homeland Security appropriations bill before us today spends $44.3 billion. It is $207.5 million—or 7 percent more than last year's appropriation and nearly $97 million more than the budget request. An increase of this size is remarkable. I need to remind my colleagues that Americans are hurting, they are losing their jobs and their homes at record rates, and here we are, business as usual, as was made very clear in the vote on the amendment that was defeated concerning a museum in Nebraska on another appropriations bill—a bill that was supposed to be for funding legislative business of the Congress. On this bill again, it is business as usual. The level of spending is wrong, and there are numerous unrequested, unauthorized earmarks which were added at the direction of members of the Appropriations Committee and the Senate.

Maybe we ought to take a look at them. This is the Department of Homeland Security appropriations bill, I would remind my colleagues, but we threw in $4 million for the Fort Madison Bridge in Fort Madison, WI. As always, there are earmarks and geographic locations delineated in the bill for these pork-barrel projects. There is $39.7 million for the Advanced Training Center in West Virginia and $3.6 million for the Coast Guard Operations Systems Center in West Virginia. That is a good place for Coast Guard operations, to say the least.

I wish to point out that none of these earmarks were authorized. None of them had a hearing. None of them were requested. In fact, three of them I will read about were included in the President's budget request in a report from the Office of Management and Budget entitled ''Terminations, Reductions, and Savings: Budget of the U.S. Government, Fiscal Year 2010,'' which was submitted by the Office of Management and Budget. In other words, the administration requested that these specific appropriations not be spent because of the fact they either are not needed or are outright wasteful spending of the taxpayers' dollars.

Continuing with the list of earmarks in this bill, we have another $16.8 million for the Coast Guard Station in Cleveland Harbor, OH, to demolish the existing facility and construct a new multipurpose building.

I wish to emphasize to my colleagues that these may be worthy projects. They may be. Generally, they aren't, but they may be. But there has been no hearing, there is no request on the part of the administration, there is no request from anybody except for the representative of that State.

Continuing: $4 million for the National Infrastructure Simulation and Analysis Center; $102 million for the National Domestic Preparedness Consortium—and that contains six earmarks: The National Energetic Materials Research and Testing Center in New Mexico, $23 million; National Center for Biomedical Research and Training at Louisiana State University, $23 million; National Emergency Response and Rescue Training Center at Texas

A&M University, $23 million; National Exercise, Test, and Training Center in Nevada, $23 million; Transportation Technology Center in Pueblo, CO, $5 million; and, of course, we never want to forget the Natural Disaster Preparedness Training Center at the University of Hawaii, $5 million.

There is $3 million for the Distributed Environment for Critical Infrastructure Decision-making Exercises. We need $3 million for the infrastructure decision-making exercises. Money is also set aside for the Cyber Security Consortium, which is a group of schools, including Miami University of Ohio, Utah State University, University of Nevada at Reno, and Potomac Institute for Policy Studies.

A certain thread may become apparent throughout this conversation and that is that States which are generally getting most of this money happen to have representatives in the Senate on the Appropriations Committee.

There is $2 million for the Cincinnati Urban Area Partnership; $20.8 million for the Southeast Region Research Initiative; $300,000 for the City of Hackensack Emergency Operations Center. Emergency operations centers are very popular in this bill. But there was no competition for these emergency operation centers. They may be worthwhile, they may not. We will never know because they are earmarked by the Members and they range from $1 million to $20 million to $247,000. We have New Jersey, New Jersey, New Jersey; Washington State; Providence, RI; north Louisiana; Little Rock; Vermont; Columbus, OH; city of Ames; and the city of Mount Vernon.

There is $900,000 for the City of Whitefish Emergency Operations Center in Montana. And because we wouldn't want to leave them out, there is $1 million for the City of Chicago Emergency Operations Center.

None of these projects were requested by the administration or authorized or competitively bid in any way. No hearing was held to judge whether these were national priorities worthy of scarce taxpayers' dollars. They are in this bill for one reason and one reason only: because of the selective prerogatives of a few Members of the Senate. Sadly, these Members choose to serve their own interests over those of the American taxpayers.

I have filed, and intend to offer, amendments to strike each and every one of these earmarks. Enough is enough. The American people are tired of this process, and they are tired of watching their hard-earned money go down the drain. I intend to fight every single unnecessary, unrequested, unauthorized earmark in every appropriations bill.

In addition to the earmarks I covered, this bill includes millions of dollars for programs that the administration has sought to cut due to the program's ineffectiveness or lack of necessity. The amendment I propose has as an example: The Over-the-road Bus Security Program. The administration proposed in its 2010 budget to eliminate the Over-the-Road Bus Security Program since the awards are not based on risk, as recommended by the 9/11 Commission, and has not been assessed as effective. Specifically, the Office of Management and Budget stated:

> Recently, the funding (for this program) has gone to private sector entities for business investments in GPS-type tracking systems that they could be making without Federal funding. For now, this program should be eliminated in favor of funding initiatives aimed at mitigated verified transit threats.

Again, in the Office of Management and Budget submission the administration says:

> The Government Accountability Office has recommended that TSA conduct an in-depth risk analysis of the commercial vehicle sector before more funding is allocated.
>
> For now, this program should be eliminated in favor of funding initiatives aimed at mitigating verified transit threats. Funding for the intercity bus industry should be included in the larger Public Rail/Transit Security Grant program and prioritized against all transit-related security investments.

But it is not. Here, on the one hand, we have the President announce with great fanfare a group of reductions and terminations and savings that the administration is going to make and is strongly urging be done. Here we have on the bill an earmark that, indeed, funds these very same programs the administration wants eliminated.

There is another one, and that is the U.S. Coast Guard Loran-C. Loran-C sounds like a pretty good program, but the fact is, this $35 million, by the way, is a federally funded radio navigation system for civil marine use in coastal areas. I will quote from the Office of Management and Budget:

> The Nation no longer needs this system because federally supported civilian Global Positioning System—GPS—has replaced it with superior capabilities. As a result, Loran-C, including recent limited technological enhancements, serves only the remaining small group of long-time users. It no longer serves any governmental function and is not capable as a backup for GPS.

So we are going to spend $35 million on GPS that is useless. It is useless for Loran-C. Why? Why would we want to do that? Why would we want to spend that kind of money? It is amazing.

Then there is the emergency operation centers, of course, some $20 million for operation centers in Ohio, Illinois, Indiana, New Jersey—et cetera. These, of course, are obviously the result of earmarks. Again, the Office of Management and Budget says the administration is proposing to eliminate the Emergency Operations Center Grant Program in the 2010 budget because the program's award allocations are not based on risk assessment.

Oh, really. Also:

> . . . other Department of Homeland Security grant programs can provide funding for the same purpose more effectively.

It goes on to talk about how the grant program was established:

> . . . by supporting flexible, sustainable, secure and interoperable EOCs, with a focus on addressing identified deficiencies and needs. . . . The EOC Grant Program uses award criteria that are not risk-based, and the administration supports a risk-based approach to homeland security grant awards.

I wonder how many of these would be awarded if they were risk based and how many of them are awarded because of the influence of members of the Appropriations Committee.

> In addition, in 2009, EOC construction and renovation was approved as an allowable expense under the Emergency Management Performance Grant Program, thus providing a more effective funding mechanism through which potential grantees prioritize expenditures on EOCs against other emergency management initiatives.

In other words, we are spending these millions of dollars—$20 million I guess it is—in an unnecessary fashion that has nothing to do with risk but has everything to do with influence.

It is business as usual in our Nation's Capitol. We just came off a recess. A lot of us spent time, as I did, traveling around our States. People in my State are hurting. People in my State are wondering whether they are going to be able to keep their jobs or get a job; whether they will be able to afford health care; whether they are going to be able to educate their children. They are having to tighten their belts in ways that certainly no one has ever had to do before in their lifetime.

So what do we do here? Business as usual: $97-some-million of unnecessary and unwanted pork. Last year, Congress appropriated many millions of dollars. This, once again, is $97 million more than the budget request, and much of that is obviously unnecessary and unneeded and in some cases even unwanted.

On behalf of the citizens of my State who are having to tighten their belts, who are undergoing unprecedented difficulties and hard times while we are on this spending spree and accumulating trillions of dollars of debt—we are committing generational theft, laying it on our children and grandchildren. I intend to fight for their tax dollars, and I intend to fight until this egregious practice of porkbarrel earmarked spending, which has bred corruption, is brought to a halt.

I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. McCAIN. Mr. President, before I yield the floor I would like to include in the RECORD at this time a list of the various bus companies and the States in which they operate. I ask unanimous consent they be printed in the RECORD at this time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FY 2009 INTERCITY BUS SECURITY GRANT PROGRAM
FINAL ALLOCATIONS

State	Entity name	Amount
	Tier I	
MA	Peter Pan Bus Lines, Inc. (PPBL)	$258,749

FY 2009 INTERCITY BUS SECURITY GRANT PROGRAM FINAL ALLOCATIONS—Continued

State	Entity name	Amount
NJ	Academy Express, LLC.	1,348,460
	Coach USA Inc	444,075
TX	CUSA, LLC	699,641
	Greyhound Lines, Inc.	3,675,223
	Tier II	
AR	Little Rock Tours	50,815
CA	SF Navigatour Inc. dba Super Sightseeing	99,691
	Silver State Coach	8,497
CT	DATTCO	115,743
FL	Escot Bus Lines, Inc.	67,377
GA	HTA Enterprises dba Swept Away Coach and Tours.	103,275
	Pendergrass Charters	43,921
IA	Burlington Stage Lines	132,675
	Windstar Lines, Inc.	50,803
IL	O'Hare Wisconsin Limousine dba Prairie Trailways.	8,497
	Vandalia Bus Lines	17,563
IN	Bloomington Shuttle Service, Inc.	57,286
	Free Enterprise System/Royal, LLC	34,029
	Star of America dba Star of Indiana	49,324
	The Free Enterprise System	34,029
KS	Village Charters dba Village Tours & Travel	84,683
LA	American International Travel dba Dixieland Tours and Cruises.	8,497
	Calco Travel, Inc.	42,601
	Hotard Coaches, Inc.	85,664
	Louisiana Coaches Inc.	8,497
MA	CAVALIER COACH TRAILWAYS	8,497
	Crystal Transport, Inc.	108,625
MD	BK Charter, Inc.	63,339
ME	NorthEast Charter and Tour Co., Inc.	8,497
MN	Jefferson Partners LP	224,069
MO	Heartland Motor Coach,Inc.	8,497
MS	Cline Tours Inc.	139,627
MT	Rimrock Stages Inc.	8,497
NC	T.R.Y., Inc. dba Young Transportation	93,564
NE	Busco, Inc. dba Arrow Stage Lines	137,156
NJ	A-1 Limousine, Inc.	131,430
	Lakeland Bus Lines, Inc.	191,800
	Rossmeyer & Weber, Inc. dba Raritan Valley	56,154
	Safety Bus Service, Inc. dba Safety Bus	34,029
	Stout's Charter Service, Inc.	363,001
NY	Brown Coach, Inc.	84,405
	Excellent Bus Service, Inc.	17,563
	Leprechaun Lines, Inc.	63,183
	Monroe Bus Company, Inc.	157,069
	Monsey New Square Trails Corp.	265,051
	Paradise Travel, Inc.	7,956
	Private One of New York LLC	200,262
	Upstate Transit of Saratoga, LLC	46,611
	West Point Trailways	7,956
OH	Croswell Bus Line dba Croswell VIP Motorcoach Services.	274,093
OK	Passenger Transportation Specialist, Inc. dba Red Carpet Charters.	49,324
PA	Carl R. Bieber	111,607
	Frank Martz Coach Company, Inc.	16,313
	Fullington Auto Bus Co.	187,001
	Krapf Coaches, Inc.	64,172
	MGR Travel, Ltd. dba Elite Coach	58,946
	Myers Coach Lines Inc.	8,497
	Red Lion Bus Company	40,192
	Trans-Bridge Lines, Inc.	237,600
RI	Flagship Trailways	8,497
SC	Cross Country Tours	8,497
	Lancaster Tours, Inc.	135,966
TN	Anchor Tours, Inc. dba Anchor Bus Charters	112,653
TX	Gotta Go Express Trailways	8,497
	Sierra Stage Coaches, Inc.	8,497
VA	Abbott Bus Lines, Inc.	8,497
	DC Trails, Inc.	180,800
WA	Discovery Tours LLC	43,141
WI	Kobussen Buses LTD.	8,497
	Lamers Bus Lines, Inc.	85,260
	Riteway Bus Service, Inc.	45,000
Total		11,658,000

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MARTINEZ. Mr. President, I ask unanimous consent I be permitted to speak as in morning business for a period of about 10 minutes.

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

Mr. MARTINEZ. Mr. President, let me begin by thanking my dear friend from the State of Arizona for once again reminding us of this egregious practice of earmark spending that continues to not only grow but continues to be a dark mark on our record as Members of the Congress.

I think, as he rightly pointed out, at a time of serious economic distress in places such as Arizona—and I certainly could say as well in Florida—it is a bit out of sync for us to continue the spending as usual just for the mere fact that there is a member of the Appropriations Committee who can, in fact, command something be done only because it would benefit a narrow interest in their State, within their district, and which, in fact, may not be requested and which may not be needed.

HONDURAS

Mr. MARTINEZ. Mr. President, I rise, though, to speak about the events in Honduras. The events that are taking place in Honduras right now are the unfortunate result of the silence of both the United States and the inter-American community to the assault on Honduras' democratic institutions.

It is difficult for Hondurans and other democrats within the region to understand the full significance of President Zelaya's expulsion from Honduras. Up until this point, there has not been any significant voice in the opposition to the dismantling of democratic institutions and free societies in Venezuela, Bolivia—and as Honduras was going down the path, you might also add Nicaragua to that, to name only a few of the most visible cases.

It is also hard to explain why there was this silence in the face of President Zelaya's earlier unconstitutional actions, especially the event that appeared to precipitate his ousting: the storming of a military base to seize and distribute ballots for a referendum that previously had been declared unconstitutional by the Honduran Supreme Court.

A fundamental tenet of democracy is the separation of powers. You have a President in the executive branch and then you have the judicial branch of government, a coequal and separate branch, and that branch told the President the referendum he was seeking to have to extend his rule beyond the constitutional term was illegal, it should not be done. He was undeterred and he was completely unrepentant as he sought to continue his plan to have a referendum, even though the Congress, even though the judiciary had already told him that was in contravention of the Constitution of their country.

Where was the region's outrage over Hugo Chavez's support for Mr. Zelaya's unconstitutional actions in Honduras? Mr. Chavez supported Mr. Zelaya because they are kindred spirits, because Mr. Chavez had already been able to usurp every institution of democracy within his country of Venezuela and now rules as an autocrat. He wanted to have the same playbook applied in Honduras as he coached and shepherded to do some of the same things in Bolivia and to some degree in Nicaragua as well—and Nicaragua coming along.

The Honduran people decided this was not going to happen in their country, and the people in the Honduran Congress and in the Honduran Supreme Court decided it was not going to happen on their watch. But the region's silence toward the assault on democracy in Honduras followed a pattern of acquiescence of Chavez's dismantling of democratic institutions and civil liberties in Venezuela.

For instance, the OAS has said absolutely nothing about Chavez's closing of independent media, his manipulation of elections, his erosion of independent branches of government, and his usurping of the authority of local elected officials. Leaders like Chavez, Ortega, and Zelaya have cloaked themselves in the language of democracy when it was convenient for them. Yet their actions ignored it when it did not further their personal ambitions.

This situation was compounded by the actions of the United States, including work behind the scenes to keep the Honduran Congress and Supreme Court from using the clearly legal means of Presidential impeachment. Some of us have wondered why wasn't he impeached? Why didn't the Congress go ahead and impeach President Zelaya? Our Embassy in Tegucigalpa counseled that the Hondurans should not use the tools of impeachment.

Having stood on sidelines while Mr. Zelaya overstepped his nation's Constitution, the United States and the inter-American community only speak now. Protecting a sitting President, regardless of his illegal acts, sets a dangerous precedent. Instead, U.S. policy should be focused on only supporting efforts that uphold the integrity of constitutional order and democratic institutions.

In fairness to the Obama administration, this distorted policy is not new. Through advice from the State Department, former President George W. Bush was talked out of having the United States stand visibly with democratic advocates in Latin America. The advice was based on the belief that by not making the United States an issue, this would allow the region to stand up for democratic activists. Unfortunately, no country or leader did so, and most significant of all, the leader of the OAS has sat idly by, year after year, as democracy after democracy was dismantled, one piece at a time, one election at a time, one institution at a time, saying absolutely nothing.

The OAS has a responsibility to condemn and sanction Presidential abuses, not just abuses against Presidents. Because of the OAS failure to uphold the checks and balances within democracies, it has become an enabler of authoritarian leaders throughout the region. The result of this has been a signal of acceptance to antidemocratic actions and abandonment of those fighting for democracy in Venezuela, Bolivia, Nicaragua, Ecuador, and elsewhere.

This silence was compounded by the recent repudiation of the application of the Inter-American Democratic Charter to the Cuban dictatorship. Ironically, it was in Honduras, with Mr. Zelaya taking a leading role, where the OAS General Assembly decided against any clear democratic standards for Cuba retaking its seat in that organization.

So here is what occurred: The OAS, filled with a desire to reincorporate Cuba into the family of nations, completely ignored that for 50 years Cuba has been a military dictatorship without even the vestiges of a free and fair election, and they invited Cuba to be readmitted without setting up a standard by which they would have to live.

President Zelaya, with his partner Hugo Chavez, was leading the charge in saying Cuba should be welcomed back and there should be no conditions, no conditions of democratic rule like the ones he is now relying upon to try to get his Presidency back.

It is Mr. Zelaya now seeking the very protection of the Democratic Charter of the OAS which he thinks applies to him but which he felt was unimportant to apply the rights and opportunities to the Cuban people to try to claim the democratic future for themselves.

The crisis in Honduras stems from the failure of its leaders to live within constitutional boundaries and from the earlier silence of the United States and the international community regarding the abuse of power by the Honduran executive. Tragically, the United States and the OAS have put Honduras and the region in a position where democracy is the loser once again.

The return of Mr. Zelaya will signal the approval of his unconstitutional acts. If he is not allowed to return, then the unacceptable behavior of forcibly exiling a leader elected by the people would be given tacit approval. This is what happens when principles are sacrificed for a policy that can only be described as the appeasement of authoritarians.

In the current crisis, neither the United States nor other countries in the region or the international community should be taking sides in a constitutional dispute but, rather, encouraging a resolution through dialog among Hondurans. To this end, efforts should be focused on helping Hondurans form a reconciliation government that would include representatives not associated with either the Zelaya administration or the current interim government.

The objective should be to keep Hondurans on track to hold currently scheduled Presidential elections in November, with the inauguration of a new President in January as mandated in the Honduran Constitution. The newly elected President, with an electoral mandate, then can decide whether and how to deal with Mr. Zelaya and those involved in his ouster.

As the Senate takes up President Obama's nominees for key State Department positions in Latin America, it is time to question the acceptance by the United States and the inter-American community of the sustained dismantling of democratic institutions in free societies by Presidents seeking to consolidate personal power at any cost. This is the larger challenge in Latin America, and Honduras is only the latest symptom. The United States must no longer remain silent when democratic institutions are undermined. Any disruption of the constitutional order is unacceptable, regardless of who commits it.

It would be well for us to remember that as we look forward to what may come next, the Presidential succession ought to be honored, however, institutions of democracy ought to also be equally honored.

Secretary of State Clinton met today at 1 o'clock with deposed President Zelaya. It appears she is seeking to align the United States with the mediation that is about to be undertaken by President Oscar Arias, a Nobel Prize-winning, well-regarded man from Costa Rica, and that President Arias might take this opportunity to see how we can bring this process back together again.

It seems to me that the elections in Honduras ought to take place as scheduled and a new democratically elected government ought to go forward. The real question is, Will Mr. Zelaya be allowed to return to the office of President? It seems to be fairly unanimous that all Honduran institutions oppose such an outcome. They do not want Mr. Zelaya back. They have seen the dark movie of what life can be like in a Cuba-type situation. They have seen the dark movie of what life can be like in a Cuba-type situation. They have seen the erosion of democracy with the complete erosion of freedoms, so much made a dear part of what we in this country believe in that has taken place in Venezuela. They have seen the continued erosion of democratic values in Nicaragua and they do not want to see it happen in their country, and one cannot blame them. It would only be fitting that they should find comfort by those of us in this country who not only value democracy for us but believe it should be shared by others around the world no matter their circumstances.

It isn't good enough to be elected democratically but then rule as a dictator and in the process of being an elected President, then move to erode all of the institutions of democracy—the courts, the congresses, even the military as an institution; they ought to be respected. Their independence ought to be valued. The playbook of Mr. Chavez, which is to dismantle the military leadership and bring in cronies of his, the efforts to then discredit the courts and bring in judges that he would also approve—this has been the playbook by which Chavez has operated and one that Mr. Zelaya was attempting to put into play.

So let's hope President Arias from Costa Rica will be able to lead a mediation effort that will bring together all of the disparate groups so that there can be a free and fair election and there can be a resolution to this crisis of democracy. But let this also be a wake-up call to the rest of us who have sat silently by as this erosion of democracy takes place one country at a time in Latin America. We ought to say: Enough is enough. Let's stand for the rule of law, let's stand for democracy, not only on election day but each and every day thereafter as we seek leaders who not only are elected democratically but govern democratically.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I wish to compliment my colleague from Florida for a very thorough explanation of what has been, to many Americans, a very confusing situation and also his support for the most recent call for a mediation and discussion among the various parties so that this whole matter can be brought to a successful conclusion without armed force or other inappropriate action. I, too, hope that can produce the right kind of result. But I think the point—if I could, while the Senator is still here, make this point strongly, as he did—you have to stand up for what is right. And we all know an election does not a democracy make. You can elect a government which then begins to govern undemocratically.

Unfortunately, some of the governments in the southern part of our hemisphere have started all right with the elections and then ended in a very bad way. We certainly did not want that to happen to our friends in Honduras. And, in fact, the people of Honduras did not want that either. They are people who stood by us when we were trying to support the forces of freedom who were fighting in Nicaragua, and there were some sacrifices on the part of the Hondurans to do that. It is a country that has had very friendly relations with the United States over the years, and it is important for us to stand up for our friends.

For that, I compliment my colleague from Florida, and I again add my voice to his saying we hope these discussions the Secretary of State has now called for can produce an appropriate resolution to this issue without any kind of bloodshed.

Mr. MARTINEZ. I thank the Senator from Arizona for his kind comments. But it also brings up one more point. Honduras has been by our side. There is no more important country, in terms of military relations in Central America, than Honduras, where we have a presence of our military, where we work together in partnership to try to stem the flow of drugs and narcotics into our country, and where we conduct not only training missions but other important training missions with the Honduran military, where we are very involved in providing aid and assistance.

I think it would be well for us to hold back any declaration that a coup has taken place that would then trigger other events. This is not your traditional military coup where a military group decides to set up a junta. These are military people who, while maybe they acted a little too strongly, the

fact is, they did not seek power for themselves but they established a congressional order. So it is important.

Mr. KYL. Mr. President, that is precisely the way I see it as well. I hope that helps to clarify for the American people what is really going on there and that we can support our friends in Honduras and that relationship which has existed all these years can continue to be the productive one it has been.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I ask unanimous consent that I be able to speak as in morning business.

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

HELSINKI COMMISSION

Mr. CARDIN. Mr. President, I take this time as the Chairman of the U.S. Helsinki Commission, for which I had the opportunity to lead a delegation of 13 members representing the United States at the 18th Annual Parliamentary Assembly of the Organization for Security and Cooperation in Europe. We attended meetings in Europe, along with representatives, parliamentarians from 56 countries representing Europe, central Asia, Canada, and the United States.

We first decided to stop in Bosnia, and we did that because I am sure my colleagues recall the bloody conflict that erupted in the former Yugoslavia, in Bosnia, in which communities were dislocated and people were killed because of their ethnic background.

We found in Bosnia, because of outside interference, the three ethnic communities that had coexisted for many years were drawn into a conflict. The United States, in the Dayton Accords, took the leadership in trying to figure out a way in which we could get the ethnic communities to live together in peace. As a result of the Dayton Accords, there was this government established for Bosnia which is a bit unusual. There are three Presidents, one representing the orthodox community, the Serbs, one representing the ethnic Bosnians, and one representing the ethnic Croats. And this government brought an end to the open violence.

But we knew in recent weeks and months there had been problems in Bosnia. So we traveled to Sarajevo to talk to all of the ethnic community leaders to see what was happening. And I must tell you, there has been progress in that region, particularly with the neighboring countries that are now progressing, some of which are our strong allies in NATO, and we have seen progress to integration in Europe. So we can take pride in what we have been able to achieve in that region of Europe in the Balkans.

But Bosnia needs our attention. I am pleased we were there. I think it is clear to each member of our delegation that if Bosnia is going to be able to continue its integration into Europe—we hope that will occur—if Bosnia is going to be able to move on a path toward NATO membership, it needs to have constitutional reform so it has a functioning federal government protecting the rights of the three entities. But it needs to have a government that can function, and during our trip I think we delivered that message. We were there shortly after Vice President BIDEN was there.

We then traveled to Vilnius, where the annual meeting was taking place. But we took the opportunity to visit Minsk in Belarus. We did that because Belarus is a repressive state in which the President, Mr. Lukashenko, rules with an iron fist. The political opposition is denied the normal opportunities of a government.

We went there because we wanted to have an opportunity to advance the OSCE principles. The Helsinki Commission, which is our arm in implementing the OSCE, is known for advancing human rights, it is known for advancing economic cooperation, it is known for advancing security issues. And we went to Belarus because we wanted that country, which is a member of OSCE, to live up to its OSCE commitments, to allow its people basic human rights, the right of a free press, the right to express their views, the right to challenge their government peacefully, the right to organize the religions of their choice, and the right for economic reform, which is being denied to the people of Belarus. We met with President Lukashenko, and we met with the leaders of the different factions, of the activists.

We also carried a humanitarian request. There was an American, Mr. Zeltser, Emanual Zeltser, who was imprisoned in Belarus. We do not know why he was imprisoned. There were secret indictments and a secret trial. The United States was not permitted to monitor the trial. He was sentenced to 3 years. He has a very serious medical condition. It is believed he could not survive if he remained in Belarusian prisons. So we carried a humanitarian request that he be released. Mr. Lukashenko had the power to do that, and we were very pleased that our humanitarian request was granted. During our meetings, the President told us he would honor our request that he be released immediately, and Mr. Zeltser was released later that afternoon, and he is now back in safe care. So we appreciated that effort, and we hope that represents a change in the direction of Belarus.

We made it clear that if the Belarusian Government made concrete steps toward the OSCE-type reforms on human rights, on economics, and other issues, then it would be a signal to the international community that we would bring Belarus more into the family of nations.

This Congress passed the Democracy Act, which imposed sanctions against Belarus because of their repressive regime. I hope our trip, which was the highest delegation to visit Belarus in over a decade, will be the first step to seeing change in that country and a better relationship between Belarus and other countries in Europe and the United States.

The main reason for our visit was to go to Vilnius, Lithuania, to participate in the Parliamentary Assembly. One member of our delegation visited Latvia in order to advance relations. At the Parliamentary Assembly, I was pleased that Congressman ROBERT ADERHOLT was elected vice chairman of the Third Committee, which is human rights. There are only three committees in the OSCE: for human rights, economics, and security. An American, Congressman ADERHOLT, will be vice chairman of the Human Rights Committee. I was elected vice president. That follows in the footsteps of Congressman ALCEE HASTINGS, former President of the Parliamentary Assembly.

The United States proposed three resolutions in addition to the normal work. All three were adopted—one on maternal mortality, one on Afghanistan encouraging the Obama administration's policies in Afghanistan, and one on Internet freedom. All three of these resolutions were adopted by the Parliamentary Assembly.

We also recommended 26 amendments to the core resolutions. All 26 amendments were adopted. I wish to cover some quickly because I think they are important to U.S. policy and we now have the support of the OSCE, of the European and central Asian communities in advancing these goals.

One was to seek Pakistan's interest in becoming an OSCE partner. They are not eligible for membership because it is central Asia, Europe, and North America. But we have partners in cooperation that work with us. We have Mediterranean partners, including Israel and Jordan and Egypt. We have Asian partners that belong, including Afghanistan. We think it would be helpful if Pakistan sought membership as a partner in cooperation within OSCE. By way of example, OSCE has a mission in Afghanistan that deals with border security. They know how to do nation building, how to help countries. We think that could be useful in dealing with U.S. policies against terrorists in Afghanistan and Pakistan if both had an arrangement with the Organization for Security and Cooperation in Europe. That amendment was approved by the Parliamentary Assembly.

We offered another amendment dealing with combating anti-Semitism. The U.S. Helsinki Commission has been a leader in developing strategies to deal with the rise of anti-Semitism. We have made a lot of progress. We continued to make progress at this meeting in dealing with the rise of anti-Semitism.

There were amendments offered dealing with water issues, energy, climate change, and preserving cultural heritage sites. We had a very active delegation, and we advanced many causes that were important to the United States.

We had bilateral meetings. We met with our counterparts from Russia to try to improve the dialog between Russia and the United States. This was a day or two before the meeting of our Presidents in Moscow. I think it is in keeping with the Obama strategy of trying to have a more effective dialog between the United States and Russia. We have differences, but we need to understand each other's positions to try to bring about the type of change that would be in the interests of both countries. We underscored those points during our bilateral meetings with the Russian parliamentarians.

We also met with the parliamentarians from Georgia. We were very disappointed that the OSCE mission in Georgia was terminated as a result of Russia's veto of the continuation of that mission. That mission deals with conflict prevention. It is there to keep peace in Georgia, where we know there is still the potential for conflict to erupt at any moment. We had a chance to meet with the Georgia parliamentarians to go over those issues.

We met with the parliamentarians from Lithuania. The last time I was in Lithuania was February 1991, when the Soviet tanks were in Lithuania, where they had taken over the TV towers. We returned to the TV towers. We were there in 1991 and saw the tragedy that the Soviets had committed in that country. We also went to the parliament building, where it was barricaded in 1991 because of Soviet tanks. Now we were able to enter a free country, a close ally of the United States, a member of NATO. It was a proud moment to return to that site and see what has happened. The United States has a proud record of always recognizing the independence of Lithuania and never recognizing the Soviet takeover of that independent country. We had a chance to meet with the President. We had a chance to meet with the parliamentarians, and we met with the Prime Minister. We mentioned an issue that is still pending that needs to be resolved; that is, property restitution issues and community property issues dating back to the Nazi occupation. We urged the Lithuanian Parliament to promptly pass an appropriate law so that the payments can be made to the appropriate victims as quickly as possible since many of the families are dying out and it is important that this issue be handled as quickly as possible. I hope Lithuania will follow through on those recommendations.

We had a very busy agenda. I am very proud of the work of each member of our delegation. We advanced the interests of the United States. We will be following through on the different discussions we had to make sure progress continues in each of these areas. It was an honor to represent the Senate with the Helsinki Commission. We will keep Senators informed on the progress we are making.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KAUFMAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent that at 4:45 p.m. today, there be 2 minutes of debate prior to a vote in relation to McCain amendment No. 1400, with the time equally divided and controlled between Senator MCCAIN and the majority leader or their designees; further, that on Wednesday, July 8, when the Senate resumes consideration of H.R. 2892, there be 5 minutes for debate prior to a vote in relation to the Sessions amendment No. 1371, with the time equally divided and controlled between Senator SCHUMER and Senator SESSIONS or their designees; that upon disposition of the Sessions amendment No. 1371, the Senate resume consideration of DeMint amendment No. 1300, with 2 minutes of debate prior to a vote in relation thereto, with the time equally divided between Senator MURRAY and Senator DEMINT or their designees; that no amendment be in order to any of the amendments covered in this agreement prior to a vote in relation to these amendments.

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

Mr. REID. Mr. President, let me quickly say, before I turn it over to my friend from New Hampshire, we have been in many quorum calls today, with plenty of opportunities to offer amendments. We have to move forward on this bill. When we finish this bill, we have 10 other appropriations bills to do. We have to move forward on this bill. People cannot complain that they have not had opportunity to offer amendments when they don't offer them.

DEBT EXPLOSION

Mr. GREGG. Mr. President, I rise to speak on a couple of items. The two things I wish to speak about are, first, this rumbling we are starting to hear about having a third stimulus package. Some people say it is a second. It is a third stimulus package. We did a tax stimulus package about $140 billion and the $700-plus billion stimulus package earlier this year. It is incomprehensible to me that we would want to have another stimulus package unpaid for and add that to the debt.

We are facing a massive explosion of debt in this country. The best thing we can do to get this economy going would be to show the world and the American people we are serious about doing something about our debt.

To roll out another stimulus package in the face of that type of a situation that would be unpaid for is a huge mistake, whether it is a tax cut or whether it is spending. I cannot understand why we are even thinking about it.

When we look at the stimulus package which was just passed a few months ago, that hasn't even spent out. Only 15 percent of that is going to be spent this year, and another 37 percent of it will be spent next year. That means we still have 50 percent of the spending of that $700-plus billion bill to occur in 2011 and beyond. So if the purpose of a new stimulus package is to try to bring up the slack in the economy as we move into 2010 and on to 2011, we do not need it because we already have a stimulus package that is coming down the road, if you accept that as being useful—I don't happen to—but it is clearly counterproductive if it is simply going to add to and increase the debt of this Nation and the debt that is passed on to our children.

The debt of this country is increasing to astronomical proportions. We are looking at deficits of 4 to 5 percent of GDP for the next 10 years. We are looking at a debt that goes to 80 percent of GDP. The new stimulus would aggravate both those numbers dramatically.

To quote my colleague from North Dakota, the chairman of the Budget Committee, the debt is the threat. If we continue to pass through this Congress spending which is not offset, which is not paid for, in the name of stimulus or anything else, we are simply aggravating this extraordinarily difficult situation, which is the massive explosion of Federal debt. It is not fair to our children. More importantly, it is not correct, and it is not good policy.

Nothing would energize this economy more than to have the world look at America and recognize that we are going to do something substantive about reducing our debt and our deficits. People around the world and in our Nation would have confidence in our government again. But if we continue to talk about rolling out another stimulus upon the stimulus we already have—the first stimulus and the second stimulus—rolling out a third stimulus, which will be unpaid for and expensive, that is not sound fiscal policy.

Since the debt is the issue, let me turn to the second point I wish to make. The TARP, which has received a lot of negative press over the last few months, has accomplished its purpose in large degree. The reason the TARP was passed was to stabilize the financial industry during a period when it looked like we were going to have a cataclysmic implosion of the financial industry. We were on the verge of a catastrophic event, where basically our whole financial industry would have melted down, bringing down with it Main Street and people's ability to get loans, people's ability to send their kids to school, people's ability to buy a house, to meet a payroll, run a small business. All that would have been at risk if the financial institutions of this country had been allowed to implode, which is exactly where we were back in September and October when the TARP was passed.

With those TARP dollars, those financial institutions are stabilized, and

they were stabilized by purchasing what is known as preferred stock in them.

As part of the TARP, it was made very clear that the $700 billion that was going to be spent to stabilize the financial institutions, or potentially spent—not all of it was spent—that those dollars, when they came back—and we expected them to come back because it was an investment; it was not spending like a stimulus package where we essentially put money out the door and it never comes back; we were buying assets, the preferred stock of these banks. When those moneys came back to the Treasury, it was understood that those moneys would be used to reduce the deficit and the debt. That was the understanding that was written in the bill. The moneys from TARP, as they came back in, would be used to reduce the debt.

We are now seeing the first group come in. Mr. President, $70 billion has come back to the Treasury as a result of four or five major banks paying off the TARP moneys through repurchasing their preferred stock. Interestingly enough, the taxpayers made some money here. We made about $4.5 billion on that investment—a pretty good deal over 4 months to make $4.5 billion. That money is also coming to the Treasury. Those dollars should be used to reduce the debt. That is what the whole idea was: Buy assets, stabilize the financial industries, as the assets come back, pay down the debt that was run up in order to purchase those assets.

Unfortunately, some of my colleagues in the other body have suggested that we now start spending this money as it comes in on what happens to be, I am sure, very worthwhile initiatives which they want to pursue in the area of housing, in the case of one proposal. That would be the totally wrong thing to do. These dollars have to be used to reduce the debt, and by using them to reduce the debt, once again we will make it clear to Americans and to the international community that we are going to act in a fiscally prudent way, and we will have a very positive impact on how much it costs us as a nation to borrow on the value of our dollars and on the amount of outstanding debt which we face as a nation, which is extraordinary, as I mentioned earlier.

It is totally inappropriate to spend this money on something other than what the proposal originally was, which was to spend it to stabilize the financial institutions and then take the money we received—in this case, with interest—and use it to pay down the debt.

The administration understands this, and I respect the fact they made it very clear in a letter to me from Secretary Geithner—I ask unanimous consent to have printed in the RECORD the letter from Secretary Geithner.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE TREASURY,
Washington, DC, June 30, 2009.

Hon. JUDD GREGG,
U.S. Senate,
Washington, DC.

DEAR SENATOR GREGG: Thank you for our recent conversation on June 11. In addition to our discussion on deficit reduction and the repayment of Emergency Economic Stabilization Act (EESA) funds, I also wanted to formally respond to your letter of April 23.

As you know, banks are indeed permitted to repay Treasury's investments through the Capital Purchase Program (CPP). Repaid funds will be deposited into the general fund for the purpose of deficit reduction, as required by EESA. This reduction in the total amount of outstanding assets frees up headroom under EESA's $700 billion cap, providing additional flexibility to Treasury in its efforts to stabilize the economy and build the foundation for long-term economic growth.

To date, 32 banks have repaid Treasury's investment for a total of approximately $70.1 billion, including $68.3 billion received on June 17, 2009, from ten of the largest banks that participated in the stress test. With these repayments, we have $127 billion remaining to support EESA's objectives. Another important item to note is that to date the United States Government's general fund has received $5.2 billion in dividends.

These repayments and dividends are an encouraging sign of financial repair, but we still have work to do in order to mend our economy. We believe that it is critical that Treasury maintain the full flexibility provided by EESA to strengthen our financial system, promote the flow of credit, and permit a rapid response to unforeseen economic threats.

As you know, I share your concerns about the fiscal situation. I look forward to working with you to bring down the deficit once we are confident that the economy is back on track and we have successfully addressed the challenges to our financial system.

Sincerely,

TIMOTHY F. GEITHNER,
Secretary of the Treasury.

Mr. GREGG. Mr. President, Secretary Geithner has made it very clear that they understand this money should go to reduce the debt. They would like to hold it sort of at the desk for a few months to make sure they are not going to need it for another event of maybe severe fiscal strain. But it is pretty obvious we are past that time and they probably are not going to need it. So this money is coming back to the Treasury and will only be used to reduce the debt unless we, as a Congress, change the law.

I wished to come to the floor and say it would be a real failure of fiscal stewardship for us to use these dollars for anything other than what their purpose was, which was to reduce the debt.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Mr. President, I yield back any remaining time.

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

The question is on agreeing to McCain amendment No. 1400. The yeas and nays were previously ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) 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 47, nays 51, as follows:

[Rollcall Vote No. 218 Leg.]

YEAS—47

Barrasso	Ensign	McConnell
Bayh	Enzi	Murkowski
Bennet	Feingold	Nelson (FL)
Bennett	Graham	Risch
Bond	Grassley	Roberts
Brownback	Hatch	Sessions
Bunning	Hutchison	Shaheen
Burr	Inhofe	Snowe
Chambliss	Isakson	Thune
Coburn	Johanns	Udall (CO)
Collins	Kyl	Udall (NM)
Conrad	Lincoln	Vitter
Corker	Lugar	Warner
Cornyn	Martinez	Webb
Crapo	McCain	Wicker
DeMint	McCaskill	

NAYS—51

Akaka	Franken	Merkley
Alexander	Gillibrand	Mikulski
Baucus	Gregg	Murray
Begich	Hagan	Nelson (NE)
Bingaman	Harkin	Pryor
Boxer	Inouye	Reed
Brown	Johnson	Reid
Burris	Kaufman	Rockefeller
Cantwell	Kerry	Sanders
Cardin	Klobuchar	Schumer
Carper	Kohl	Shelby
Casey	Landrieu	Specter
Cochran	Lautenberg	Stabenow
Dodd	Leahy	Tester
Dorgan	Levin	Voinovich
Durbin	Lieberman	Whitehouse
Feinstein	Menendez	Wyden

NOT VOTING—2

Byrd	Kennedy

The amendment (No. 1400) was rejected.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, the Senate just voted against the President of the United States—I think we should know that—and his recommendation. The President, on May 7 of this year, as part of his budget submission, recommended terminating or reducing 121 Federal programs, which was estimated to save the taxpayers $41 billion over the next decade. One of the programs the President hopes to see terminated is the Intercity Bus Security Grant Program.

What the Senate did was to tell the President of the United States: No, we are sorry, this is a vital program, the Intercity Bus Security Grant Program. I am sure the folks in Maryland at Cavalier Coach Trailways that got $8,000 and Crystal Transport, Inc., that got $108,000—there is one in here that is a limousine service that got several thousand dollars, the Rimrock Stages got only $8,000. But Busco, Inc., doing business as Arrow Stage Lines, they

got $137,000 in Nebraska. Maybe they will take people to visit the library that just got $200,000, those from outside of Omaha.

What we are talking about is that we cannot even eliminate a program, with a decent number of Democratic votes, about which the President told the American people: We will reduce spending, we will cut spending, don't worry; here are the 121 Federal programs. There are two more that are coming, my friends, that you will be able to vote against the President on because there are two more on his list that are included in this appropriations bill.

Anybody in the United States who thinks we got the message that it is time to tighten our belts, including especially members of the Appropriations Committee on both sides of the aisle, they are sadly mistaken.

They are sadly mistaken. We are going to vote on all 27. We are going to be on record, and the American people are going to hear about it. They are going to figure it out. It is business as usual. The porkbarrel spending continues even to the point where we cannot even eliminate a program the President of the United States said we would eliminate. There are 60 votes over there. We could not get 51.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

AMENDMENT NO. 1402 TO AMENDMENT NO. 1373

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the pending amendment be set aside.

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

Mr. FEINGOLD. I rise to call up amendment No. 1402 to the bill.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD] proposes an amendment numbered 1402 to amendment No. 1373.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require grants for Emergency Operations Centers and financial assistance for the predisaster mitigation program to be awarded without regard to earmarks)

On page 32, strike line 19 and all that follows through page 33, line 22, and insert the following:

Assistance Act (42 U.S.C. 5196c), which shall be awarded on a competitive basis: *Provided,* That the Administrator of the Federal Emergency Management Agency shall award financial assistance using amounts made available under the heading ''NATIONAL PREDISASTER MITIGATION FUND'' under the heading ''FEDERAL EMERGENCY MANAGEMENT AGENCY'' under this title—

(A) in accordance with section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133); and

(B) without regard to any congressionally directed spending item (as defined in rule XLIV of the Standing Rules of the Senate) or any congressional earmark (as defined in rule XXI of the Rules of the House of Representatives) in a committee report or joint explanatory statement relating to this Act.

Mr. FEINGOLD. This amendment would prohibit the earmarking of two critically important homeland security grants: the Emergency Operations Centers and the Pre-Disaster Mitigation Program.

The Emergency Operations Centers, or EOC program, is intended to improve emergency management and preparedness capabilities, and it funds, among other things, construction of State and local EOCs. These centers are a vital part of the comprehensive national emergency management plan.

The Pre-Disaster Mitigation Program is intended to implement hazard reduction measures before disasters strike. Eligible projects can include, for example, preparing mitigation plans, or retrofitting public buildings against hurricane-force winds, and constructing so-called ''safe rooms'' in tornado-prone areas.

While we may not all agree on the appropriateness of earmarking in general, I certainly hope we can agree certain things should not be earmarked, including FEMA grant programs such as those that protect Americans from terrorist attacks and natural disasters.

Obviously, these funds should be awarded by an impartial entity that is expert in matters of emergency operations and disaster mitigation. It is FEMA that actually possesses these qualities; Members of Congress do not. Indeed, FEMA has informed me that many past earmarks would not have even qualified for the Pre-Disaster Mitigation Program under the established guidelines. The result is that low-priority projects get funded and high-risk areas do not have adequate resources they need so people in those areas can truly be protected from natural disasters. I think these funds are too important to be passed out based on political dealings.

The Association of State Floodplain Managers supports this amendment and notes that a key element of the Pre-Disaster Mitigation Program is the encouragement of hazard mitigation planning. According to the Association:

Congressional earmarks, unfortunately, undercut the local planning process when it became evident that process could be short-circuited by getting a Congressional earmark.

This year, the House has earmarked all of its Emergency Operations Centers funds in its Homeland Security appropriations bill. The Senate has earmarked nearly half of its funds. The earmarks in the Senate are directed to 10 States. That means 40 States will have to compete for the remaining half of these funds.

If my amendment fails, 10 States get half and the other 40 States only get half combined. Many of these earmarks have historically gone to small communities while at the same time many State operations centers in major cities still need assistance. So my amendment would strike the earmarks in the text of the Senate bill so that FEMA can decide which projects are homeland security priorities and Federal responsibilities.

With regard to the Pre-Disaster Mitigation funds, the House report has earmarked one-fourth of the funds, and the Senate has so far not earmarked any of them. However, last year both the House and the Senate earmarked roughly 27 percent of the funds in conference. So my amendment directs FEMA to disregard any such earmarks in the explanatory statement of managers. As the majority of us will not be members of the conference committee, I urge my colleagues to consider whether it is in the best interests of your State to permit the earmarking of these critical homeland security funds outside of the regular legislative process.

The chairman and the ranking member of the Homeland Security and Governmental Affairs Committee introduced legislation last year to mandate that Pre-Disaster Mitigation funds be awarded competitively. I, of course, commend both of them for their leadership on this issue.

Given that a percentage of these funds are guaranteed for every State in light of the fact that all States are at risk of natural disasters, there is even less reason for these funds to be earmarked.

President Obama has stated that he would like these funds to be awarded on the basis of risk. Federal law lays out the criteria for the competitive awarding of these grants and focuses on the need to fund those projects that will mitigate the most high-risk areas.

Therefore, I think this amendment is consistent with the President's request that we focus on those communities that are in most need of assistance. I urge my colleagues to support this amendment.

I ask unanimous consent that Senator MCCAIN be added as a cosponsor.

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

Mr. FEINGOLD. Not only will the amendment restore objectivity to two homeland security grant programs, it will also help ensure important decisions about Federal spending are actually made on the merits not on the basis of political backroom deals.

I yield the floor, and 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. BROWN. 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. BROWN. I ask unanimous consent to speak as in morning business.

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

GENERIC BIOLOGICS

Mr. BROWN. Mr. President, I thank my colleague from Ohio, Senator VOINOVICH, for allowing me to go first. I appreciate his public service as he concludes his Senate career in the next year and a half.

This week Congress is debating whether to broaden access to affordable generic drugs for millions of Americans. Let me explain how access to generic drugs—and generic drugs for pharmaceuticals—so-called chemical drugs are called generics, just to make this clear, for live—what are called biologics they are called follow-on biologics. But either is the same concept.

Let me explain how the access to generic, or follow-on biologics, would benefit millions of Americans who cannot afford the crushing drug costs they face, whether prescription drugs or biologics.

Sergio from Rocky River, a suburb west of Cleveland, wrote about how he and his family lost their health insurance last year and are heavily buried with debt. His young son has type 1 diabetes, a terrible disease that an increasing number of young people have. His wife has severe asthma, and Sergio had quadruple heart bypass surgery, along with surgeries to repair a hernia and treatment for back and knee injuries, all within the last 3 years. Sergio and his family have cut back on the medications they were taking and stopped going to the doctor because they can't afford the $35,000 in outstanding medical bills, much of it in prescription drug costs. Sergio writes that his family walks on eggshells each day hoping they don't get sick and slide further into debt.

For far too long, Americans like Sergio have struggled with the exorbitant cost of prescription drugs. For far too long, soaring drug costs have meant seniors were forced to choose between eating and taking medicine. I have heard these stories for more than a decade, most acutely when I traveled with seniors from Ohio to Canada to buy affordable prescription drugs. I was a Member of the House in those days in the late 1990s. It was curious that an elected Federal official in one country would rent a bus and take 30 to 40 seniors 3 hours from Lorraine up through Toledo, OH, into Detroit, then into Windsor, Ontario, from one country to another to buy prescription drugs. Of course, I did that because these people were hurting. They didn't have decent health care and couldn't get low-cost prescription drugs. So they went to Canada where the prices were much, much cheaper, one-half to one-third the cost, the same drug, same manufacturer, same packaging, same dosage, but costing one-half or one-third as much.

As we move forward on health care reform, we have the opportunity to make affordable generic drugs more accessible to seniors and to the Nation's middle class. Health care reform must broaden access to generic alternatives to the most expensive kinds of prescription drugs known as biologics. Biologics are different from the chemical pharmaceuticals we are most used to that sell in much larger numbers than the biologics based on living ingredients that are more expensive and—much more expensive to produce, originally, with the research but also much more expensive for the person taking the biologics. Failing to come up with generic alternatives to these most expensive kinds of prescription drugs is not just bad policy, it is irresponsible on our part.

Countless Americans simply cannot afford these expensive brand-name drugs. These drugs provide promise and hope to those suffering from devastating diseases and chronic illness: cancer, Parkinson's, diabetes, Alzheimer's, MS. For example, annual treatment for breast cancer in the 1990s was with a drug called Taxol which cost an exorbitant amount of money—$4,000 a year. Today, annual treatment for some cancers—in this case, breast cancer—is with the biologic drug Herceptin, which costs $48,000 a year or $4,000 a month. Annual treatment for rheumatoid arthritis with Remicade costs approximately $20,000 a year, almost $2,000 a month. These drugs are simply too expensive for many people to afford.

Liz from Brecksville is a director of a breast cancer advocacy group in northern Ohio and wrote to me that many of her members and clients face impossible financial barriers after being diagnosed with breast cancer and needing treatment. Liz works with breast cancer patients who face excessive copays and deductibles for prescription drugs, often with 10-year preexisting condition restrictions. That is why we must provide broader access to generic drugs to help lower prescription drug costs for millions of Americans.

This isn't a debate about policy between biologics and follow-on biologics and prescription drugs and generics. That is interesting for the textbooks and the economists. This is about the lives of people who simply cannot afford $4,000 a month for a cancer drug, $1,500 a month for a drug if they are dealing with rheumatoid arthritis.

Ensuring a pathway for generic drugs and breaking the monopoly pharmaceutical companies have on brand-name drugs can make prescription drugs affordable for Americans who need them. By setting a reasonable period of exclusivity for many brand-name drugs, we will speed up the generic approval process and speed up cost savings for families in Toledo, Lima, Canton, Youngstown, and Cincinnati, OH.

It is estimated that biologics, those drugs that increasingly are used to help treat cancer and Parkinson's and diabetes and Alzheimer's and MS, will make up 50 percent of the pharmaceutical market by 2020. These are becoming more and more common. Yet there is not even a process to establish generic drug alternatives. Therefore, there is no price competition and the price for these biologics goes up and up and up. The prices go up and up and up, yet there is no competition and they can keep charging outrageous prices. These prescriptions cost anywhere from $10,000 a year, almost a $1,000 a month; sometimes they cost as much as $200,000 a year, which is $16,000 or $17,000 a month.

We are not saying the prescription drug companies don't deserve a chance to recoup the $1.2 billion they spend on research and development. This chart is 1 year of sales with no competition from generics. It often means multiple billions of dollars in revenue. This was compiled by the AARP. The drug Enbrel for rheumatoid arthritis—average cost to develop a new biotech product, $1.2 billion; annual total U.S. sales for top-selling biologic drug, $14.8 billion. Look at another pretty common drug, Remicade, for rheumatoid arthritis. In this case, this company spends a little more than $1.2 billion to develop this product; $13 billion in sales. We can go down the list: Epogen for anemia, Procrit for anemia, Rituxan for rheumatoid arthritis, Humira for rheumatoid arthritis, Avastin, Herceptin, Aranesp for anemia, Neulasta for neutropenia. On biologic after biologic, the average cost not just to develop this biologic, the average cost to the company as a whole for its successful biologics and its unsuccessful biologics, for the amount of research they are putting forward averaging $1.2 billion, look at their sales: 14.8, 13, almost 15, almost 14, almost 12, almost 7, 8 billion, 5.5 billion, 11, almost 12 billion. These are costs for which consumers are paying $2,000 a month, $3,000 a month. They simply can barely afford it in many cases and can't afford it at all in other cases. These are costs that employers have to pay, that taxpayers have to pay if they are in Medicaid.

It is pretty clear these are huge profits these companies are making. And I want more innovation. You bet I want to see these companies succeed. But they don't need to make these kinds of profits at the expense of taxpayers and small businesses that are paying the freight and larger businesses that are less competitive because they have to pay such high costs for health care. That makes it harder for GM to compete with Toyota and compete with overseas auto manufacturers, one after another after another.

Sales in 2008 for the average biologic, not just the blockbusters, totaled over $666 million. That means it takes less than 2 years for the average brand-name biologic to recoup the R&D cost. Why are some of my colleagues advocating for a 12-year monopoly period? They want to give these companies that are recovering this kind of money this quickly each year, this kind of money with the kinds of sales they have had, they want to give them 12 years to recoup this $1.5 billion. Many of them recoup it in the first year, let

alone the second, third, fourth, and fifth. Again, I want to have a healthy profit, but I don't want to see price gouging aimed at small businesses and large companies that are less competitive as a result, aimed at seniors and others who suffer from these diseases. Why a 12-year monopoly period? Twelve years sounds good. If the industry gets 12 years, they will laugh all the way to the bank. They will be exultant if they get 12 years.

The President says 12 years is too long. The President thinks it should be 7. The Federal Trade Commission says it is too long. The Federal Trade Commission thinks giving them 12 years will actually reduce innovation because the drug companies won't even try to compete with themselves and come up with new drugs. Nearly everyone—insurance companies, patients groups, consumer groups, and the AARP—has said this is too long. All kinds of organized labor unions, because of their members, say it is too long. Most insurance companies say it is too long. Patient groups, groups that advocate for people with diabetes, with heart disease, groups that advocate for people with arthritis and MS and other deadly and crippling diseases—all say 12 years is too long. Everyone says 12 years is too long except two groups: the drug companies and some House Members and Senators.

It is clear this is a fight between pharmaceutical companies looking to make lucrative profits and patients in need of prescription drugs.

I read yesterday in the Washington Post how the pharmaceutical industry is spending well over $1 million every single day trying to influence the outcome of health care reform legislation. Over $1 million a day spent to prevent generic drugs—affordable medicine—from making their way to seniors in Zanesville and Bolero and Youngstown and Van Wert and Piqua and all over my State, from making their way to people in middle-class families, to patients who can't afford brand-name drugs. We can't let special interests or political maneuvering delay making affordable prescription drugs more available to millions of Americans.

We are on the cusp of fundamental reform of our health care system. Let's not blow it. Let's not pass this giveaway of billions and billions of taxpayer dollars, individual dollars out of people's pockets, dollars raided from small businesses and large corporations alike.

We should not let that stand in the way. We are on the cusp of meaningful, fundamental reform. We must ensure access to generic drugs that will reduce costs, that will improve quality of care for millions, that will mean more innovation and more miracle drugs. This is part of our historical moment. We need to do it right.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. I ask unanimous consent to speak as in morning business.

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

Mr. VOINOVICH. Mr. President, it is time for Congress to join forces and unite in a bipartisan way to help the President deal with the unbelievable challenges he has domestically and internationally. One easy way to help our Nation is by passing our appropriations bills by September 30. Our getting it done this year is urgent because of the state of our economy and the impact Federal spending has on that economy. Our reliance on continuing resolutions to fund the Federal Government continues to plague Congress and has a cascading effect on government agencies and the citizens they serve.

In recent decades, it has become common for appropriations bills to be enacted after the start of the fiscal year, during the last quarter of the calendar year, or even in the next session of Congress, as was the case this year. Repeatedly managing by continuing resolution is inefficient. It results in wasteful spending, disruption and chaos in the operations of Federal programs, and dramatic productivity slowdowns. This is not a good record for either party and is an irresponsible approach to managing our limited resources. It has to stop.

Last year, because the Senate did not do its job, agencies were rushed to spend their budgets before the end of the fiscal year and used overtime to ensure requests were processed before midnight on September 30, making it ripe for overspending as agencies stockpiled to try to meet future needs. This also means fewer dollars being returned to the Treasury to help reduce our growing budget deficit.

We need to get back to basics to solve it. This is one problem the Congress can solve, and we need to do it this year. Congress may hold the power of the purse, but we undermine our credibility by starving good managers and agencies of necessary resources and by turning a blind eye to failing programs. This is about more than allocating funds. It is about good management and good public policy. I can assure you, as a county commissioner, mayor, and Governor, if the appropriations were not done on time we would have been run out of town for not doing our job.

Inaction causes chaos in the operations of our Federal Government. Continuing resolutions do exactly what their name implies: they continue funding at prior year levels, without regard to whether changes in funding are necessary or appropriate. As a result, agency program managers are now in the untenable position of having to manage on the prior year's budget, which often results in a loss of productivity and a waste of taxpayer dollars. Imagine if these same program managers could spend their time instead on our current economic situation, ensuring that the stimulus funds are being spent wisely and appropriately.

Programs which cannot justify the level of funding they used to have, and ought to be cut, will continue to get the level of funding they were getting. Likewise, programs for which increased need has been demonstrated, and which therefore should get increased funding, will continue to be funded at the prior year's level, leaving the increased need unaddressed.

Since 1990, the Government Accountability Office has issued its biennial high-risk report, which examines the challenges faced by Federal programs and operations and recommends ways to improve their performance and accountability. Many of the programs on the GAO high-risk list are dysfunctional and fail to deliver the intended services to the taxpayer. In other instances, the Federal Government is wasting taxpayer dollars that could be better used for higher priority programs or cutting the deficit.

Imagine if we were able to dedicate 1 week—or even 1 day—per month as a body debating solutions to the challenges identified by GAO instead of debating whether and when to proceed on appropriations bills or throwing together a continuing resolution to ensure we avoid the embarrassment of a government shutdown.

This is not a case of benign neglect. We have become overly reliant on past practice and refuse to make the end-to-end budget process a priority. Continuing appropriations acts have become commonplace and, unfortunately, fully integrated into the process. The end result is funding uncertainty—not because the money is not there but because Congress cannot join in a bipartisan manner and hammer out an agreement on how money should be spent. No business would manage its affairs in this manner, and neither should the Federal Government. As I said, the Federal Government is the only level of government that gets away with it.

I think few in the Senate recognize the adverse impact continuing resolutions have on agencies where budgets rely heavily on personnel. Hiring freezes, cuts in training budgets have lasting effects. It is irresponsible for us not to provide appropriations on time to those we have asked to provide services to the American people and give them gigantic excuses to not perform.

Our inaction also has an impact on program management. Federal public servants spend countless hours preparing detailed budget justifications for our review. We reward their hard work by asking them to spend their time figuring out how to manage under last year's budget. Imagine if these people could spend their time managing programs instead of figuring out how to operate under a continuing resolution, including completion of reprogramming requests.

Managing by continuing resolution has the effect of delaying construction,

reducing overall efficiency, wasting time and paper resources, and disallowing any new starts in procurement. Fortune 100 companies do not walk away from difficult budget choices by taking a pass to the next fiscal year. Neither does Main Street USA. Regardless of whether you subscribe to the belief that CRs save money, this is no way to run an organization. It is part of our obligation to the American people to ensure our scarce resources are given to projects that produce results.

I want to share a few examples of the true impact of continuing resolutions, taken from a memo prepared by the Congressional Research Service and hearings before the Committee on Homeland Security and Governmental Affairs.

Let's take the Department of Education. The Impact Aid Program is an elementary and secondary education program that does not receive forward funding or advance appropriations and, therefore, is more easily affected by an interim continuing resolution. Payments for children with disabilities are delayed when the Department of Education is operating under a continuing resolution.

USAID: The delay of funding of the President's Malaria Initiative, which was enacted in order to reduce deaths due to malaria by 50 percent, lasted until February 15, 2007, 5 months or 138 days into fiscal year 2007. Doing the math, this delay in funding relates to the loss of, say, 198,000 lives unnecessarily. In other words, by delaying it, the money was not there. We did not get the job done, and this resulted in the deaths of individuals.

NASA: On June 8, 2009, the Federal Times reported the following from NASA Administrator Michael Griffin:

> Any time Congress passes a continuing resolution that holds agencies to their current spending levels at a time when the economy is experiencing inflation translates into a budget cut. And so we will be cutting the budget at NASA and the only question is how much. . . . And then the second question, after how much is decided, is will the continuing resolution be broadly applied and left to the discretion of agency heads to implement or will special programs be targeted to be either favored or disfavored.

FEMA: In fiscal year 2008, the Emergency Food and Shelter Program, which ''provides emergency food and shelter to needy individuals,'' did not receive funds under the CR. Thus, the program did not have funds available for communities and their respective homeless provider agencies during what many view as critical winter months until February 26, 2008, or 149 days into fiscal year 2008.

The judiciary: The judiciary has had to resort to hiring freezes or furloughing employees under continuing resolutions. In fiscal year 2004, the judiciary reduced 1,350 positions, with probation and pretrial services receiving significant cuts.

HUD: During fiscal year—I am just giving you examples that have been pointed out by CRS. During fiscal year 2004, the Department of Housing and Urban Development had to temporarily suspend the General Insurance and Special Risk Insurance Fund of the Federal Housing Administration because the continuing resolution did not provide a sufficient credit subsidy to continue with the programs. During the suspension, HUD was unable to meet the needs of the borrowers who would ordinarily be served by the respective programs, which created uncertainty among the lenders and potential borrowers. Mr. President, I think most of us have seen what happens when we have uncertainty in our mortgage system.

The Treasury Department: Continuing resolutions in fiscal year 2007 and fiscal year 2008 limited and delayed the IRS's ability to implement improvements in the taxpayer service. Also, these continuing resolutions prevented the agency from making job offers to highly qualified candidates until enactment of a full year's appropriation.

Just jerk them around.

Research and development: Most research and development programs continue to receive funding at the prior year's level when operating under a continuing resolution. However, this funding mechanism can only support existing R&D priorities rather than shifting to new ones because only existing programs retain funding. New and emerging technologies must be funded in real time.

The Social Security Administration: Operating under a continuing resolution for fiscal year 2010 will hamper efforts to reduce backlogs in the agency's disability program, which would result in decreased efficiency. Also, in previous years continuing resolutions caused the agency to implement a hiring freeze that contributed to service delivery problems. While Commissioner Astrue has gone to great lengths to send additional resources, for example, to my home State, Ohio still has people waiting more than 500 days for a decision on their Social Security disability claim.

I was very critical of SSA. I started looking back on the continuing resolutions that were passed. It was a chaotic situation. They were not able to keep the people they had. They were not able to hire more people, and we have a 500-day wait now. I am sure the Presiding Officer gets the same complaints from his people that they cannot get their disability appeals heard.

DHS: In testimony before the House Homeland Security Subcommittee on Management, the Department of Homeland Security's Deputy Procurement Officer, Richard Gunderson, spoke to the impact continuing resolutions have on the key homeland security programs. Gunderson testified:

> A CR would stop those programs in their tracks and we would not be able to grow the way that everybody is saying that we need to grow.

Mr. President, there are a lot more examples of what I am talking about. I think this has to be the year we do our job. The Senator from Nevada, our leader, and the Senator from Kentucky, our minority leader, have both publicly stated that we need to do our job on time. As I mentioned earlier, the need for it is more urgent than ever before.

If I were the President of the United States today, I would probably look at what the Congress is doing, and I think I would say: One of the greatest gifts you can give me, one of the greatest gifts you can give our country, is to do your work on time so we do not have this chaotic situation we have had for so many years.

None of our hands are clean. None of our hands are clean. I have been here when we have deliberately not passed appropriations with the idea that maybe our guy is going to get elected President or we are going to get the majority in the Senate or the Congress and so then we can tweak it the way we want to because a majority is no longer in the majority.

This game has been played for too long around here, and it is about time we recognized it and did something about it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

MORNING BUSINESS

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak therein for 5 minutes each.

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

The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that I be permitted to speak in morning business for up to 15 minutes.

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

Mr. WHITEHOUSE. Thank you, Madam President.

HEALTH CARE

Mr. WHITEHOUSE. Madam President, I have spoken many times on the floor of the Senate about the desperate need for reform of our broken health care system. Today the Congress stands at a moment of historic opportunity. The attention, hopes, and anxieties of the American people are focused on us like never before.

We have seen over the course of the last 60 years constant lament over the

system's flaws and failure—failure when true opportunities for reform arise. President Obama has now challenged this Congress to reform our Nation's health care system, to expand access to insurance, to improve below-average results, and to bring down its costs. It is about this last challenge—the challenge of our unimaginable and grotesque health care costs—that I speak today.

In his recent speech to the AMA, the President called escalating health care costs ''a threat to our economy . . . an escalating burden on our families and businesses . . . a ticking time-bomb for the federal budget, and . . . unsustainable for the United States of America.''

I hope all of us share his sense of urgency. Our country's economic future may well depend on it.

Over the past few weeks, I have been privileged to work with my HELP Committee colleagues to make long-awaited reforms and investments to control costs and wring savings from the system. In that process, much attention has been paid to the Congressional Budget Office's cost and savings estimates—estimates that, in many cases, have significant limitations.

CBO, as we know, plays a vital role in our legislative branch by ensuring that we have objective, nonpartisan estimates of the likely costs and savings to the Federal budget of legislation. These estimates can help us make responsible and efficient use of the taxpayers' money, but we must recognize that in the particular context of health care reform, they are fundamentally limited by CBO's professional restrictions.

CBO can only estimate health care costs and savings that have historic precedent. For example, since we have the experience of Medicaid and the Children's Health Insurance Program, CBO can estimate how much expanding coverage to all needy families will cost. These subsidies account for the vast majority of CBO's $600 billion estimate of the 10-year cost of the HELP Committee bill.

On the cost savings side, however, CBO's capability is limited. We know our health care system is on an unsustainable course, and there is broad agreement on which of the broken pieces need fixing, but it is impossible to estimate cost savings with the degree of certainty CBO requires to provide what we call a score.

CBO's Director has been refreshingly candid about this. In a recent letter to our budget chairman, Senator CONRAD, he writes the following:

> Changes in government policy have the potential to yield large reductions in both national health expenditures and Federal health care spending without harming health.

He continues:

> Moreover, many experts agree on some general directions in which the government's health policies should move, typically involving changes in the information and incentives that doctors and patients have when making decisions about health care. Yet many of the specific changes that might ultimately prove most important cannot be foreseen today and could be developed only over time through experimentation and learning.

CBO's professional discipline requires it to score legislation through a rear-view mirror, looking back, and basing its calculations on what it can chronicle has happened in the past. But when we propose to take the country in a new direction, when there is a turn in the road, when we seek to fulfill President Obama's promise of true change in America, the rearview mirror doesn't help much. We have not been where we need to go.

In addition, getting there will require leadership, creativity, and perseverance. It will require executive administration with constant adjustments and improvements as we work toward our goal. Those factors are beyond the capability of CBO to predict.

I speak not to criticize the hard-working public servants of the Congressional Budget Office. They do an exemplary job with the tools at their disposal. Americans owe them a particular debt of gratitude now for how incredibly hard they have worked over these past weeks, but their tools come with their own limitations. The point of this reform is to turn around a system that is spiraling out of control. We spent 18 percent of our gross domestic product on health care, the next highest spending Nation in the world—the next worst is Switzerland, at 11 percent. Even if our success in this reform is limited to shaving a few percentage points off our national expenditure on health care, that change will be worth hundreds of billions of dollars a year. Yes, there will need to be an initial investment in health care reform, but the potential savings are multiples larger. CBO's inability to score those savings does not mean that those savings are not both real and substantial.

One measure of the potential savings is the recent report of the President's Council of Economic Advisers, June 2009. I ask unanimous consent that the executive summary of this document be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE ECONOMIC CASE FOR HEALTH CARE REFORM

EXECUTIVE SUMMARY

The Council of Economic Advisers (CEA) has undertaken a comprehensive analysis of the economic impacts of health care reform. The report provides an overview of current economic impacts of health care in the United States and a forecast of where we are headed in the absence of reform; an analysis of inefficiencies and market failures in the current health care system; a discussion of the key components of health care reform; and an analysis of the economic effects of slowing health care cost growth and expanding coverage.

The findings in the report point to large economic impacts of genuine health care reform:

We estimate that slowing the annual growth rate of health care costs by 1.5 percentage points would increase real gross domestic product (GDP), relative to the no-reform baseline, by over 2 percent in 2020 and nearly 8 percent in 2030.

For a typical family of four, this implies that income in 2020 would be approximately $2,600 higher than it would have been without reform (in 2009 dollars), and that in 2030 it would be almost $10,000 higher. Under more conservative estimates of the reduction in the growth rate of health care costs, the income gains are smaller, but still substantial.

Slowing the growth rate of health care costs will prevent disastrous increases in the Federal budget deficit.

Slowing cost growth would lower the unemployment rate consistent with steady inflation by approximately one-quarter of a percentage point for a number of years. The beneficial impact on employment in the short and medium run (relative to the no-reform baseline) is estimated to be approximately 500,000 each year that the effect is felt.

Expanding health insurance coverage to the uninsured would increase net economic well-being by roughly $100 billion a year, which is roughly two-thirds of a percent of GDP.

Reform would likely increase labor supply, remove unnecessary barriers to job mobility, and help to ''level the playing field'' between large and small businesses.

WHERE WE ARE AND WHERE WE ARE HEADED

Health care expenditures in the United States are currently about 18 percent of GDP, and this share is projected to rise sharply. If health care costs continue to grow at historical rates, the share of GDP devoted to health care in the United States is projected to reach 34 percent by 2040. For households with employer-sponsored health insurance, this trend implies that a progressively smaller fraction of their total compensation will be in the form of take-home pay and a progressively larger fraction will take the form of employer-provided health insurance.

The rising share of health expenditures also has dire implications for government budgets. Almost half of current health care spending is covered by Federal, state, and local governments. If health care costs continue to grow at historical rates, Medicare and Medicaid spending (both Federal and state) will rise to nearly 15 percent of GDP in 2040. Of this increase, roughly one-quarter is estimated to be due to the aging of the population and other demographic effects, and three-quarters is due to rising health care costs.

Perhaps the most visible sign of the need for health care reform is the 46 million Americans currently without health insurance. CEA projections suggest that this number will rise to about 72 million in 2040 in the absence of reform. A key factor driving this trend is the tendency of small firms not to provide coverage due to the rising cost of health care.

INEFFICIENCIES IN THE CURRENT SYSTEM AND KEY ELEMENTS OF SUCCESSFUL HEALTH CARE REFORM

While the American health care system has many virtues, it is also plagued by substantial inefficiencies and market failures. Some of the strongest evidence of such inefficiencies comes from the tremendous variation across states in Medicare spending per enrollee, with no evidence of corresponding variations in either medical needs or outcomes. These large variations in spending suggest that up to 30 percent of health care costs (or about 5 percent of GDP) could be saved without compromising health outcomes. Likewise, the differences in health

care expenditures as a share of GDP across countries, without corresponding differences in outcomes, also suggest that health care expenditures in the United States could be lowered by about 5 percent of GDP by reducing inefficiency in the current system.

The sources of inefficiency in the U.S. health care system include payment systems that reward medical inputs rather than outcomes, high administrative costs, and inadequate focus on disease prevention. Market imperfections in the health insurance market create incentives for socially inefficient levels of coverage. For example, asymmetric information causes adverse selection in the insurance market, making it difficult for healthy people to receive actuarially reasonable rates.

CEA's findings on the state of the current system lead to a natural focus on two key components of successful health care reform: (1) a genuine containment of the growth rate of health care costs, and (2) the expansion of insurance coverage. Because slowing the growth rate of health care costs is a complex and difficult process, we describe it in general terms and give specific examples of the types of reforms that could help to accomplish the necessary outcomes.

THE ECONOMIC IMPACT OF SLOWING HEALTH CARE COST GROWTH

The central finding of this report is that genuine health care reform has substantial benefits. CEA estimates that slowing the growth of health care costs would have the following key effects:

1. It would raise standards of living by improving efficiency. Slowing the growth rate of health care costs by increasing efficiency raises standards of living by freeing up resources that can be used to produce other desired goods and services. The effects are roughly proportional to the degree of cost containment.

2. It would prevent disastrous budgetary consequences and raise national saving. Because the Federal government pays for a large fraction of health care, lowering the growth rate of health care costs causes the budget deficit to be much lower than it otherwise would have been (assuming that the savings are dedicated to deficit reduction). The resulting rise in national saving increases capital formation.

Together, these effects suggest that properly measured GDP could be more than 2 percent higher in 2020 than it would have been without reform and almost 8 percent higher in 2030. The real income of the typical family of four could be $2,600 higher in 2020 than it otherwise would have been and $10,000 higher in 2030. And, the government budget deficit could be reduced by 3 percent of GDP relative to the no-reform baseline in 2030.

3. It would lower unemployment and raise employment in the short and medium runs. When health care costs are rising more slowly, the economy can operate at a lower level of unemployment without triggering inflation. Our estimates suggest that the unemployment rate may be lower by about one-quarter of a percentage point for an extended period of time as a result of serious cost growth containment.

THE ECONOMIC IMPACT OF EXPANDING COVERAGE

The report identifies three important impacts of expanding health care coverage:

1. It would increase the economic well-being of the uninsured by substantially more than the costs of insuring them. A comparison of the total benefits of coverage to the uninsured, including such benefits as longer life expectancy and reduced financial risk, and the total costs of insuring them (including both the public and private costs), suggests net gains in economic well-being of about two-thirds of a percent of GDP per year.

2. It would likely increase labor supply. Increased insurance coverage and, hence, improved health care, is likely to increase labor supply by reducing disability and absenteeism in the work place. This increase in labor supply would tend to increase GDP and reduce the budget deficit.

3. It would improve the functioning of the labor market. Coverage expansion that eliminates restrictions on pre-existing conditions improves the efficiency of labor markets by removing an important limitation on job-switching. Creating a well-functioning insurance market also prevents an inefficient allocation of labor away from small firms by leveling the playing field among firms of all sizes in competing for talented workers in the labor market.

The CEA report makes clear that the total benefits of health care reform could be very large if the reform includes a substantial reduction in the growth rate of health care costs. This level of reduction will require hard choices and the cooperation of policymakers, providers, insurers, and the public. While there is no guarantee that the policy process will generate this degree of change, the benefits of achieving successful reform would be substantial to American households, businesses, and the economy as a whole.

Mr. WHITEHOUSE. This report compares the share of America's gross domestic product spent on health care to the share spent by our international industrialized competitors. It also looks to the wide variation in health care expense and quality, region to region, within the United States of America. From each of these measures, the report comes to the same conclusion: They estimate excess health care expenditures of about 5 percent of GDP, which translates to $700 billion per year. Former Treasury Secretary O'Neill has written recently that the target is $1 trillion per year. Whether $700 billion or $1 trillion, that is a savings target that is worth an enormous expenditure of executive and legislative effort to achieve, particularly when all the evidence suggests that achieving it will actually improve health care outcomes for the American people.

Perfect examples of the savings that await us are in quality of care. I have spoken before about the Keystone Project up in Michigan which reformed care in a significant number of Michigan's intensive care units. It reduced infections, respiratory complications, and other medical errors. Between March 2004 and June 2005, just a little over a year, the project is documented to have saved 1,578 lives, 81,020 days patients otherwise would have spent in the hospital, and over 165 million health care dollars—just in a little over a year, just in intensive care units, just in one State, and not even all of the intensive care units in that State.

In my home State, the Rhode Island Quality Institute has taken this model statewide with every hospital participating, and we are already seeing hospital-acquired infections and costs declining.

Why aren't these quality reforms happening spontaneously all over the country? Because government and private insurers haven't set up the right rules for the game. When we began our intensive care unit reform in Rhode Island, the Hospital Association of Rhode Island estimated a $400,000 cost for a potential $8 million savings from the ICU reform program. That is a 20-to-1 return on investment. Super deal, right? Who wouldn't take that? Well, the hospitals pointed out that all the savings—the $8 million—went to the payers—to Medicare, to the insurance companies—and all the costs and all the trouble and all the risk came out of their own pockets. The savings actually cut hospital revenues. So with a lot of business experience around this Chamber, do we know a lot of businesses that would spend $400,000 in cash in order to lose $8 million in revenues? That is not a good economic proposition. We have made the rules such that it is not a good economic proposition for hospitals to invest that way.

That is why the HELP Committee bill changes payment incentives and invests in grant programs so it begins to make economic sense for doctors and hospitals to invest in lifesaving and cost-saving quality improvements. If we can make it an economic win for providers to improve quality this way, think of the torrent of American ingenuity that will unleash. Now we are stuck. We are stuck in a bog of market failure, with the connection between risk and reward—the fundamental connection between risk and reward that is the basic engine of American capitalism—interrupted and disabled. But CBO can't score that innovation because we haven't been down this road before. There is nothing in the rearview mirror for CBO professionals to work with to determine what those savings will be.

There is a similar problem in disease prevention. A study by the Trust for America's Health found that investing $10 per person per year in proven community-based programs to increase physical activity, improve nutrition, and prevent tobacco use could save the country more than $16 billion annually within 5 years. Out of the $16 billion in savings, Medicare could save more than $5 billion, Medicaid could save more than $1.9 billion, and private payers could save more than $9 billion, but those program providers don't get funded. That is why the HELP Committee bill establishes a prevention and public health investment fund to provide expanded and sustained nationwide investment in preventing illness. Well run, the savings could be enormous. But CBO can't score it because we haven't been down this road before, and there is nothing in the rearview mirror for CBO professionals to work with.

A third area for significant efficiencies and savings is the contentious, inefficient billing and approval process.

Right now, doctors and insurance companies are locked in an arms race. Private insurers delay claims and deny claims for reimbursement and throw up barriers to payment, and the providers, in turn, staff up and hire consultants and add people to fight back. This battle creates a colossal burden on the system, consuming perhaps 10 to 15 percent of all private insurance expenditure and then creating a reciprocal and probably actually greater cost shadow out in the provider community from having to fight back against that 10- to 15-percent expenditure. It all adds no overall health care value—none. It is pure administrative cost shifting. Even the insurance industry estimates that $30 billion per year could be saved through simplification of that process. That is why the HELP Committee bill has strong administrative simplification requirements. But again, CBO can't score it because this is another new road. Again, there is nothing in the rearview mirror for CBO to work with.

Finally, multiple studies show that the private insurance market is plagued by inefficiency and waste. While administrative costs for Medicare run about 3 to 5 percent, overhead for private insurers is an astounding 20 to 27 percent—charges that consumers pay for higher premiums. A Commonwealth Fund report indicates that private insurer administrative costs increased 109 percent—they more than doubled—private insurer administrative costs more than doubled from 2000 to 2006, just in 6 years. The McKinsey Global Institute and a leading health economist indicate that Americans spend roughly $128 billion annually on ''excess administrative overhead''—that is, $128 billion on excess administrative overhead—in the private health insurance market.

That is why the HELP Committee bill establishes a strong nonprofit public health insurance option that would compete on even terms with private insurance companies, bringing down premiums, negotiating more efficient provider payments, and increasing consumer access—all through the power of free market competition. All this is done through the power of free market competition. But, again, CBO cannot score it because we have not been down that road before. There is, again, nothing in the rearview mirror for CBO professionals to work with.

In the 1930s, Franklin Delano Roosevelt's proposal for an innovative program called the Tennessee Valley Authority faced this dour prediction from a Member of the House of Representatives:

> Mr. Speaker, I think I can accurately predict no one in this generation will see materialize the industrial empire dream of the Tennessee Valley.

Another Member remarked:

> The development of power in that particular locality of the Nation . . . can be of no general good.''

Had FDR been cowed and discouraged by such pessimism, by the difficulty and uncertainty and novelty of his task, the TVA would never have brought electricity, jobs, and prosperity to millions of Americans.

Likewise, today, it is precisely because our reforms are innovative and because they will take energy, commitment, and leadership to achieve that they are unscorable. That should be an inspiration to us, not a discouragement. Through this reform bill, we must challenge ourselves and the Obama administration to do that which economists and commentators cannot specifically score and analyze. With strong leadership and dedication, we can not only bend the cost curve, we can break it.

Let's set a hard target, say, $500 billion in annual savings, and see how fast we can get there. Let's make this the Apollo project of our generation. The stakes are high enough to justify that effort.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. BARRASSO. Madam President, I ask unanimous consent to speak for up to 10 minutes in morning business and that Senator SESSIONS be recognized when I have finished.

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

Mr. BARRASSO. Madam President, most everybody knows I am an orthopedic surgeon. In Wyoming, many refer to me as ''Wyoming's doctor.'' That is because for over two decades folks have invited me into their home with statewide television and radio health reports, where I gave people information on how they can stay healthy and how to keep down the cost of their medical care. I ended each report by saying: ''Here in Wyoming, I'm Dr. John Barrasso, helping you care for yourself.''

That is also my philosophy for government—helping people help themselves. As medical director of the Wyoming Health Fairs, I worked to give people around the Cowboy State access to lifesaving preventive tests and low-cost medical screenings.

My goal was always to encourage families to eat right, exercise, manage chronic diseases, and stop smoking because prevention is one of the keys to a long and happy and healthy life.

As I travel home every weekend, I hear the concerns people have about health care and the cost of their medical care. They are concerned about the specific cost of their medical care and how it affects them and their family budgets. Many families across Wyoming and in this country worry that they will lose the health care coverage they currently have. Others cannot afford insurance today. That is what is wrong with our current health care system. That is what we need to fix.

I know from firsthand experience that doing nothing is simply not an option. We must be careful, thoughtful, and deliberate about the changes we make. Health care is a very complex and an intensely personal issue. It deserves a national debate—a serious, open, and transparent national debate.

I welcome the opportunity to talk about the concerns of people living longer and needing more care and more advanced care. The concerns are affordable care, access to care, and high-quality care.

In the midst of this debate, we cannot stand for rural Americans to be left behind. They need access to high-quality, affordable health care like everybody else.

When I first came to the Senate, I promised the people of Wyoming I would fight each and every day to protect and modernize our rural health care delivery system. I committed to do my part to strengthen our rural hospitals, rural health clinics, and community health centers. I committed to do my part to increase rural America's access to primary health care services and to aid in the successful recruitment and retention of nurses, nurse practitioners, doctors, and physician assistants all across rural and frontier America.

There are obstacles faced by our hospitals, clinics, and our providers—obstacles they have to overcome to deliver quality care to all the families in rural America. They end up having to do it in an environment of markedly limited resources. The Federal Government needs to recognize these important differences and then respond with appropriate policy.

The people of Wyoming know I am here not just as their Senator but also as a rural doctor who has practiced medicine, fighting on their behalf.

Recently, I joined three of my colleagues to introduce S. 1157, the Craig Thomas Rural Hospital and Provider Equity Act.

Today, I rise to talk about a different bill that I have introduced alongside my colleague from Oregon, Senator RON WYDEN. It is called the Rural Health Clinic Patient Access and Improvement Act.

This legislation is a great example of what true bipartisanship can produce. I thank Senator WYDEN and his staff for working so hard to collaborate with me on this very important bill. I commend him for his dedication to helping rural Americans have equal access to the high-quality medical care they deserve.

This legislation strengthens America's 3,500 rural health clinics that serve rural and frontier communities.

Rural health clinics are a highly valued medical provider in communities all across this country. In Wyoming, we have rural health clinics located in communities that many people have never heard of, such as Baggs, Glenrock, Hulett, Lovell, Medicine Bow, Saratoga, and my wife Bobbie's hometown of Thermopolis. These clinics make sure people have access to primary care as close to home as possible. That is not easy to.

To give you a snapshot of Wyoming's health care landscape, we have only 26

hospitals and 18 rural health clinics spread over nearly 100,000 square miles, which is a remarkably large distance. With vast distances, complex medical cases, and increased demand for technologically advanced medical care, the rural health care system is certainly not one size fits all.

Let me explain what this Rural Health Clinic Patient Access and Improvement Act actually does.

First, the rural health clinics currently receive an all-inclusive payment rate that is capped at $76. That payment has not been adjusted—except for inflation—since 1988. We all know that medical inflation has gone up at a much greater rate than regular inflation.

This bill addresses this problem by raising the rural health clinic cap from $76 to $92. Rural health clinics are a key component of the rural health care delivery system, and we need to make sure there is fair pay for patients who are taken care of in those facilities.

We also need to give them enough flexibility to meet their community's health care needs.

Additionally, this measure would establish a new quality reporting program for rural health clinics.

Three years ago, Congress required the Centers for Medicare and Medicaid to create a physician quality reporting system. This program offers bonus payments to doctors who report quality measures on Medicare services.

The quality incentive program is linked to the Medicare physician fee schedule. Rural health clinics, though, are not paid using the physician fee schedule. If Congress wants to pay doctors based not on volume but on the quality of care, then it is important to remember that the one-size-fits-all approach will not work here.

That is why this bill ensures that a comparable quality incentive is available to rural health care providers.

Third, the Rural Health Clinic Patient Access and Improvement Act would create a provider retention demonstration project. It is a five-State project that will study the extent to which a medical professional can be encouraged and enticed to practice in an underserved rural and frontier area.

The States would be given grants to help physicians, physician assistants, nurse practitioners, and certified nurse midwives to help them pay a small portion of their medical liability costs.

I believe these incentives will help draw more providers—especially those who deliver babies—to work in an underserved area because their malpractice insurance is the same whether they deliver 1 baby or 100. In these small areas, there aren't that many babies being born each year, so the cost, while it is the same for malpractice insurance, has to be distributed over a fewer number of patients. This will encourage them to practice in underserved areas.

Wyoming has too few primary care providers for the population we must serve. My State is not alone. This bill that Senator WYDEN and I have introduced reflects our commitment to ensure rural Americans have access to high-quality health care services.

I strongly encourage all my colleagues with an interest in rural health to cosponsor this bipartisan piece of legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

HOMELAND SECURITY APPROPRIATIONS

Mr. SESSIONS. Madam President, I offered an amendment to the Homeland Security legislation that is before us which would make that system permanent, and make its use mandatory for contractors that do business with the U.S. Government.

Essentially, employers all over America are accessing the E-Verify online system that allows them to have an instant check to determine whether the person who has applied for employment with them is legally in the country. They simply check their Social Security number and other data against the Social Security Administration and Department of Homeland Security databases. When the system determines a person is not here legally, employers don't hire them. Over 96 percent of the people are cleared automatically when a business checks. Of the remaining 3.9 percent of queries with an initial mismatch, only .37 percent of those were later determined to be work authorized. A certain percent of applicants are found to be here illegally, and they should not get a job or any taxpayers' money from a part of the stimulus package. Stimulus funds were set aside to help us reduce our unemployment rate in this country and to hire American workers. The prospect of jobs should not be a magnet to draw more illegal workers into the country.

The first thing you do, if you have an immigration problem, is stop rewarding those who break the law. One of the things you do not do is reward people who come illegally with jobs. You do not have to arrest them or do anything unkind. You simply do not hire them, especially with taxpayers' money that is designed to create American jobs.

This has been a matter we have talked about for some time. It is very important in this time of economic slowdown because the Bureau of Labor Statistics reported that the unemployment rate for June, just a week or so ago, had jumped to 9.5 percent, 467,000 jobs lost, the highest unemployment rate in 25 years. We have massive job losses. A lot of good people are out of work, they need work and are willing to work.

E-Verify is not a perfect system. People can find ways beat it, no doubt, but it actually works. One study by the Heritage Foundation concluded that as much as 13 percent of the jobs created under the stimulus plan would go to people illegally in the country the way we were operating. By utilizing the E-Verify system, I have no doubt we could drop that percentage dramatically. I am very concerned about it. I am a bit baffled by the difficulty we have had in moving forward with this amendment.

I will say that two bits of progress—small progress, I know—have occurred. The House Homeland Security appropriations bill for fiscal year 2010 has come over to the Senate, and it includes a 2-year extension of E-Verify. That is better than letting it expire. In addition, the Senate version of the bill includes a generous 3-year extension of this proven system. I have to say that is OK, but neither bill has any language that would make this system permanent. It leaves it on very shaky ground, making businesses that might voluntarily want to utilize it wonder if it really is the policy of our country to use it. Madam President, over 1,000 businesses a week are now voluntarily signing up to use the system.

Failing to make the system permanent also raises questions about the sincerity of our commitment. More significantly, neither one of the bills has any language that says that government contractors, people who are doing work for the U.S. Government, paid for by us, the taxpayers, must use this system. I ask, Why not? What possible, justifiable, rational reason can we give to pass legislation designed to help deal with this recession, to try to create American jobs and not make sure federal contractors only hire lawful workers? What basis could we utilize to say that those contractors should not at least take about 2 minutes—that is about all it takes to punch in a Social Security number into the system—to see whether a person applying for a job is legally in the country.

There is a long history on this amendment. For some reason, interest groups have been lobbying against permanent authorization and mandating use of E-Verify by federal contractors. Certain business groups oppose this amendment. It scares them. Why? I suggest there is only one logical conclusion: They like the idea of hiring illegal workers. But how can we as Members of the Senate representing the American taxpayers possibly justify using their money that is designed to create jobs for American citizens to hire people who are here illegally, creating an even greater magnet to attract more people to come into our country illegally?

I have offered this amendment to the appropriations bill to ensure this successful program be made permanent. And, of course, any time in the future if it ceases to be practical, we could end it. But this amendment would make it permanent, sending a signal—that is part of what we want to do—and it would also be mandatory for government contractors. If a Federal contractor gets a contract to do work, at

least they ought to determine whether a worker is legally in the country before they hire them. I don't think that is too much to ask, and I cannot imagine why anyone would oppose it. But I understand, once again, we are going to have objections.

It is working, and Department of Homeland Security Secretary Janet Napolitano recently said this in response to a question I asked:

The administration——

She is talking about the Obama administration—

strongly supports E-Verify as a cornerstone of work site enforcement and will work to continue to improve the program to ensure it is the best tool to prevent and deter the hiring of persons who are not authorized to work in the United States.

I think that is a pretty good affirmation of it. In fact, that has been a known reality for years. We have known this system has worked for years, but we have had people say: Oh, it is a bureaucratic nightmare. Why do businesses voluntarily sign up to use it, then? They say some people might be held up in employment. Under the bill, if something in the system raises questions about your employability, the person can still be hired while the problem is worked out. What we found is that 96 percent of the people are cleared immediately and only a very small number have turned out to have some sort of mistake in their situation. It is just not a practical objection, in my view.

I understand that some are claiming—my colleagues on the other side of the aisle—that it looks as if Secretary Napolitano will announce something with regard to federal contractors soon, maybe even tomorrow. That would be good. It would be a Presidential directive that could, in the short run, solve this problem. But we have heard that talk before.

President Bush finally, after being subjected to some criticism about this, issued Executive Order 12989 last June. That order mandated the use of the E-Verify system for Federal contractors and subcontractors and was supposed to take effect in January of this year. President Obama came in, as he has the power to do, and he delayed implementation of the order. Indeed, we have had four delays to date in implementing this Executive Order. The first was when President Obama said that the January 28 date was not appropriate. He put it off to February 20 and said that on February 20, businesses that get government contracts have to use the system. Then a few weeks later, the implementation was pushed back to May 21. Before May 21 got here, they pushed it back to June 30. A few weeks ago, we heard it would not be implemented until some time in September. And now we are hearing that they may implement it soon.

E-Verify is certainly one of the most effective tools we have, as the Secretary herself has stated. Why are we not moving forward with making it permanent, I ask. I ask Members of Congress in the House and in the Senate, why don't we play a role in this? Why leave it totally up to the President, who is subjected to all kinds of political and corporate lobbying to not do this program? Why don't we as a Senate just pass it, as we do so many other things, and make it law? If Secretary Napolitano plans to do this in the future, it wouldn't conflict with anything she planned to do. If they were not going to do it, it would be mandated and it would come into effect.

We have to be aware that we have had a lot of obstacles before with the implementation with this system and it has not gone forward in an effective way. I don't think we should wait any longer. Jobs are being lost every single day. They are being lost in significant numbers to people illegally in our country.

T.J. Bonner, the head of the Border Patrol Union, told us most passionately at a Judiciary Committee hearing a number of years ago that jobs are the magnet. If you can stop the magnet, the number of people they have to deal with at the border can be reduced. It sends a signal that the days of open borders and the ability to get a job even if you are illegally here are past. That is the way you do things and make it work. It is all part of a plan to send a message to the world that we are not open for illegality. Under E-Verify nobody is arrested, nobody is captured and taken to be deported. We just simply are taking a reasonable step to reduce the magnet of jobs from taxpayers' money, not private businesses, just government businesses and government contractors. The Federal Government uses it today in its hiring process.

I was surprised to hear one of my Democratic colleagues asking that we not support this amendment, saying that we should have a biometric employment identification database and that he cannot support E-Verify because it is not strong enough. That was a remarkable thing. Anyone who has studied the history of this program has good reason to wonder about the sincerity of people who object because E-Verify is not tough enough. The reason people are objecting is because it works. That is why the immigrant advocacy groups and the business crowd object to it. That is why. There may be better systems, but this one has been up and running for some time and been incredibly successful.

It was contended that I.D. thieves can defeat the system. I suspect that is so. But does that mean the system has to be perfect before we use it? That argument ignores the fact that this bill appropriates a significant amount of extra funds to assist the Department of Homeland Security's continuing effort to reinforce the system's antifraud protections. We have money in this legislation to try to eliminate the ability of people to defeat the system by fraud.

I don't think the argument can rationally be made that extending it would be ''a waste of taxpayers' money.'' We already have the system up and running. In reality, it is not going to cost any more money to have people use it. The system is up and working. I guess if people want to use that as an excuse to vote against the amendment, they can, but it makes little sense to me.

I would like to see an enhanced biometric system. It is absolutely something that can work. We need to do that. There are a lot of things we can do this very day, but you have to admit, if we cannot get the votes to just maintain the E-Verify system, it looks as if we may have even more difficulties with an advanced system.

I won't go on at length about this anymore. We have debated it before. Earlier this year on the stimulus bill, I offered an amendment to make E-Verify apply to the stimulus bill and the people who got government contracts would have to use it. The House put that in their bill. I kept getting objection from the Democratic leadership to my amendment. I couldn't understand why. And then I began to think about it, and it dawned on me what was happening. If my amendment were to pass and the language was in the House bill, unless real skullduggery were to occur, that language should be in the final bill. But if they could keep the language out of the Senate bill, even though the House had put the language in their bill by an overwhelming vote, they could take it out in conference when they meet in secret to deal with the conflicts between the House bill and the Senate bill. So I brought it up three or four times, and every time I tried to get a vote, it was blocked.

Then, finally, the bill passed without my amendment having passed. And do you know what happened? When they met in secret, in conference, the House leadership—the Speaker and her team—receded to the Senate bill, agreed to eliminate their language, and therefore the language wasn't in the bill. And what happened politically? All the House Members, Republicans and Democrats, could say: I voted for E-Verify. And the Senate Members, when hearing complaints, could say: Well, I would have voted for it if it had come up. It just never came up.

See, this was the plan all along. I just have to tell you what the truth is and how this happened and what is at work out there.

So I hope Secretary Napolitano will do what she can do and the President will do what he can do and order that this system be mandatory for government contractors and to permanently authorize it. But I don't see any reason in the world why we should wait on that. What we should do as a Congress, if we believe in what we say about our goal to eliminate the surge of illegal immigration and trying to protect American jobs at this time of economic recession, is we ought to vote for the amendment. What harm can there be?

So I urge my colleagues to do the right thing on this amendment and vote for it. I am baffled as to why there would be hesitation about it. I think if people look at it, it is very simple. The E-Verify system is up and running. The government employment offices use it before they hire anybody for the government. Thousands of businesses are using it every day. Over 130,000 employers are currently enrolled in the program, and about a thousand businesses a week are signing up to use it. It protects them, in a way. If somebody says: You knowingly hired illegal workers, they can say: I checked and they had a good I.D. and a good name, and I did my best. And that will protect them from complaints against them. Most employers want to do the right thing. They do not want to hire people who are not lawfully in the country. So that is why it is working even as a voluntary program. We are not hearing complaints about it. It is not violating people's civil rights. It is working in a healthy way.

All we need to do now is make this system permanent, not keep leaving it out here in limbo. And secondly, let's make sure it applies to people who not only go directly to work for the U.S. Government but for contractors who do work for the government, people who are getting money under the stimulus bill, which was designed to create jobs for American citizens.

I thank the Chair, and I yield the floor.

Madam President, 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. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HEALTH CARE REFORM

Mr. BROWN. Madam President, earlier today, just a couple of hours ago, I spoke in this Chamber about the need to expand access to generic drugs. I spoke about expanding generic access for biologics—drugs that treat cancer, and diabetes, and rheumatoid arthritis, Alzheimer's, multiple sclerosis, Parkinson's, and a whole host of disabling and often fatal diseases. I talked about how much money could be saved with a pathway to what are called follow-on biologics—or generics—and how much better access that would be for people who simply can't afford the thousands of dollars per month that it often costs for these biologics, these very expensive treatments. I talked about how it could save money for small businesses that so often pay the freight for health care, for health insurance for their employees, and how it could save money for large companies that simply aren't able to be as competitive around the world because of the high cost of these biologics. All this is part of a larger debate about health care reform.

Just a few short days after celebrating our Nation's birthday, we are fighting for what should be a right for every American; that is, access to affordable health coverage. This isn't about the Republicans. It isn't about Democrats. It is not about my part of the country, the Midwest, or the Presiding Officer's part of the country, New England. It is not about Ohio or New Hampshire or California or Nebraska. It is about America. It is about fighting for the next great progressive chapter in our Nation's 233-year history.

Think of the progress as a nation we have made in the last hundred years. I wear on my lapel a pin depicting a canary in a bird cage. The mine workers used to take a canary down in the mines. If the canary died from lack of oxygen or toxic gas, the mine worker knew he had to get out of the mines immediately. He had no union strong enough to protect him or no government that cared enough to protect him. Think of the progress this country has made over these past 100 years since the canaries went down in the mines with the miners.

A baby born in America at the turn of the last century, say, in 1900, had a life expectancy of only about 46 years. Today, we live three decades longer because of our progressive government, because of a ban on child labor, because of civil rights and women's rights, because of safe drinking water and clean air, because of seatbelts and airbags, because of Medicare and Social Security and minimum wage and workers' compensation, and so many great things this institution has done.

Over the Fourth of July weekend, I was honored to have spent time with the Scalia family from Australia. Natalie and Greg Scalia lived in the United States, just upstairs from my wife when she was a struggling single parent. Greg Scalia was an intern, I believe at the Cleveland Clinic, making very little money. They had two children then. They now have four children. Will and Issy were born and were here a dozen years ago when they lived in the United States for a couple of years in the 1990s. Born to the Scalia family since living here and joining the family on this visit were Richie and Rosie. They came to Cleveland over the Fourth of July weekend. They did what Americans do: They went to a Cleveland Indians game. Unfortunately, typically, they saw the Indians lose—a pattern that has been all too common this year. They went to a parade in the southwest part of Cleveland, they went to picnics, and they had family time.

As I talked with Dr. Scalia and all of us talked about the current debate over health care reform, it occurred to me that this debate and the hours and hours spent by staff and Members who work in the Senate in crafting the public plan we announced last Thursday, the issue of generic drugs we engage in today and all the work done on prevention and on quality of care and on workforce training and on stopping fraud in the Medicare system—all the different kinds of health care systems overall are really part of the American experience. But years from now, when we look back on this, we will know that it is not about terms such as ''public option'' or ''follow-on biologics'' or concepts such as preventive care, quality control, or the discharge plan, where people leave hospitals; this is really all about American families.

That is why, as we celebrated the Fourth of July over the weekend, it was particularly important to think about what we do this month in the Health, Education, Labor, and Pensions Committee, on which I sit, and in the Finance Committee—the two committees of the Senate joined with the House Ways and Means Committee and the Education and Labor Committee and the Energy and Commerce Committee—as we work on this. Our first pledge is to protect what is right in our health care system, and our second pledge is to fix what is wrong.

Protecting what is right means if you have health insurance and you are pleased with your health insurance, you keep it. No government is going to tell you to change that; you keep what you have. If you are unhappy with your insurance, if you are dissatisfied or simply have no health insurance or have very inadequate health insurance, then we can offer you private insurance or we can offer you public insurance—the public plan option, so to speak—that will give you the choices as an American citizen.

This is a historic moment for our country. This is the first time since Franklin Roosevelt thought about trying to add health care, a Medicare-like system, to Social Security in the 1930s. He backed off under pressure from the American Medical Association. In the 1940s President Truman offered Medicare. He was not able to pass it for all kinds of reasons. In 1965, President Johnson, with the huge Democratic majorities, the biggest majorities we have had in the last 70 years, was able to pass Medicare and Medicaid, and look what that brought us.

Madam President, as you join us in your first term from New Hampshire, and many other freshmen who have moved on this side of the aisle—we have sort of squeezed these desks together, as we see—we will be facing a historic moment where we will have a chance to provide health insurance and help all these families I saw on the Fourth of July reach the American dream. It is an opportunity for people who have not had health insurance and people who have inadequate health insurance to be able to provide for their families. They are working hard and they are playing by the rules. They work as hard as any United States Senator. The comforts of their job are not nearly as much as we have in this body, and they are deserving of the

same kind of health insurance that people in this Chamber have—Senators, staff people, all of us.

This is a great moment, a historic moment, as we move forward in the history of our great country.

DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING ITEMS

Mr. INOUYE. Mr. President, pursuant to Senate rules, I submit a report, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING ITEMS

I certify that the information required by rule XLIV of the Standing Rules of the Senate related to congressionally directed spending items has been identified in the committee report which accompanies S. 1298 and that the required information has been available on a publicly accessible congressional website at least 48 hours before a vote on the pending amendment to H.R. 2892.

VOTE EXPLANATION

Mr. ISAKSON. Mr. President, I was unavoidably detained during rollcall vote No. 215, an amendment to strike the earmark for the Durham Museum in Omaha, NE, from H.R. 2918, the Legislative Branch Appropriations Act of 2010; rollcall vote No. 216 on a point of order with respect to amendment No. 1365; and rollcall vote No. 217 on passage of H.R. 2918, the Legislative Branch Appropriations Act of 2010.

Had I been present I would have voted yea for rollcall vote No. 215; nay for rollcall vote No. 216; and nay for rollcall vote No. 217 and ask that the RECORD reflect that.

OBSTRUCTIONISM OF NOMINATIONS

Mr. LEAHY. Mr. President, I am sorry to see Republican obstructionism in the Senate return with such a vengeance. Just last November, the American people voted for change. They sent a new President to the White House to lead our government and sent a strong message that they expected Washington to put aside pettiness and work on their behalf on the serious problems facing them and the country. After only 6 months, it seems Republicans in the Senate have already forgotten that message.

The Senate majority leader has spoken about the difficulties he is having getting any semblance of reasonable cooperation from across the aisle. The Republicans' obstruction of Presidential nominees is a stark example. Just a few years ago, they were intent on employing the ''nuclear option'' and risking destruction of longstanding Senate rules and practices in order to ensure that every one of President Bush's nominees was confirmed. This year, with President Obama making the nominations, they have reverted to the anonymous holds that characterized their actions during the Clinton years. It is impossible to find a principle that justifies this obstruction. It is likewise difficult to see what ''extraordinary circumstances'' exist to justify filibusters and unwillingness to proceed to consider these nominations.

The Senate's last week in session before the July 4th recess witnessed a Republican filibuster of the President's nominee to serve as the Legal Advisor at the State Department. The target was Harold Koh, the distinguished dean of the Yale Law School, a former high-ranking official in the State Department as well as a former official at the Office of Legal Counsel at the Justice Department. That filibuster was unsuccessful, although 31 Republican Senators supported it. That was not the first attempt by Senate Republicans to filibuster executive branch nominees. Earlier this year, the Senate was forced to file for cloture to avert a Republican filibuster against the nomination of David Ogden to serve as the Deputy Attorney General.

The destructive strategy culminated on June 25 when Republicans objected to confirming nine executive branch nominees reported by the Judiciary Committee for action by the Senate. They included five U.S. attorneys, 3 Assistant Attorneys General and the Chairman of the U.S. Sentencing Commission. In addition, the Judiciary Committee has reported 3 judicial nominees to begin filling the 74 vacancies in our Federal courts around the country. Republicans are turning the clock back to 10 years ago, when their obstructionism led to more than 100 judicial vacancies and earned rebukes from Chief Justice Rehnquist.

In an editorial entitled ''Call It Obstructionism,'' the New York Times on June 28 noted that the Senate adjourned for the July 4th recess with ''21 nominees for important posts awaiting confirmation.'' Thirteen had been reported by the Senate Judiciary Committee but remained stalled before the Senate by Republican objections. I hope this work period sees the cooperation from Senate Republicans that the American people have demanded.

REMEMBERING TERRY BARNICH AND MAGED HUSSEIN

Mr. KERRY. Mr. President, I would like to say a few words about two brave Americans who were tragically killed in Iraq earlier this year. On May 25, 2009, Terrance Barnich of Illinois and Maged Hussein of Florida died when an improvised explosive device detonated near a construction site outside of Fallujah.

Terry Barnich was the deputy director of the Iraq Transition Assistance Office in Baghdad. He had signed on for multiple tours in Iraq and was the senior American expert responsible for expanding the generation of electricity across Iraq. Dr. Maged Hussein was the senior adviser for water resources in the Iraq Transition Assistance Office and a civilian member of the Army Corps of Engineers. He, too, volunteered for multiple tours in Iraq.

These two men represent the very best America has to offer. Both gave up the comforts of home to live in trailers in Baghdad in an effort to help provide a better future for Iraq. Countless thousands of Iraqi civilians have access to electricity and potable water as a result of Terry's and Maged's efforts. Along with the personal tragedy, their loss represents a serious setback for American reconstruction efforts in Iraq. We mourn their passing and offer our deepest condolences to their families.

ADDITIONAL STATEMENTS

COMMENDING LIEUTENANT GENERAL SCOTT C. BLACK

• Mr. GRAHAM. Mr. President, today I wish to recognize and pay tribute to LTG Scott C. Black for his many years of loyal and exceptionally meritorious service to our Nation culminating in his steadfast devotion, stewardship, and leadership of the Army Judge Advocate General's Corps as the 37th and first 3-Star Judge Advocate General. Lieutenant General Black will retire from the Army on 1 October 2009 having completed a distinguished military career of over 35 years. We owe him a debt of gratitude for his many contributions to our Nation and the legal profession, particularly during operations in support of the global war on terror.

Born on September 1, 1952, in Camp Cook, CA, this great patriot grew up traveling around the world in a military family but always considered California his home and is a resident to this day. He graduated in 1974 from California Polytechnic State University with a bachelor of arts in political science. While attending Cal Poly, Lieutenant General Black was enrolled in the Reserve Officers' Training Corps. Upon graduation, he began his military career as a commissioned armor officer. After completing the armor officer basic course and Airborne and Ranger schools, he returned to California for his first duty assignment and served at Fort Ord from 1974–1977. In 1977, the Army selected him to attend law school through the Funded Legal Education Program. He remained on the west coast and graduated in 1980 with his juris doctor degree from the California Western School of Law.

He then attended the Judge Advocate Officer Basic Course in Charlottesville, VA, before heading to Fort Bliss, TX, where he honed his legal skills serving as the chief of legal assistance; trial counsel; chief, criminal law; and as a contracts attorney. In 1984, he returned to Charlottesville to attend the judge advocate officer graduate course. In

the short time he was a judge advocate before attending the graduate course, Lieutenant General Black quickly distinguished himself from his peers as possessing the legal acumen and interpersonal skills to serve in the Judge Advocate General's Corps' most visible and challenging positions. From 1985–1989 he served in the general law branch, administrative law division, Office of The Judge Advocate General. During this time period, he received the high honor and rare distinction of being selected to serve as an assistant counsel to the President of the United States. After leaving the White House, his stellar performance led to his selection to attend the U.S. Army Command and General Staff College at Fort Leavenworth, KS. In 1990, he returned to Fort Ord, CA, where he served as the deputy staff judge advocate for the 7th Infantry Division, Light, until 1993. After leaving Fort Ord, Lieutenant General Black continued to expertly fill and excel in challenging positions.

In 1993, Lieutenant General Black and his family moved to Europe where he was the chief, military and civil law division, Office of the Judge Advocate, U.S. Army Europe and Seventh Army, Germany. In 1994 he became the staff judge Advocate, 3d Infantry Division, later redesignated 1st Infantry Division, U.S. Army Europe and Seventh Army, Germany. In 1996, he returned to Washington, DC, where he served as the legislative counsel and chief, investigations and legislative division, Office of the Chief of Legislative Liaison, Office of the Secretary of the Army, until 1998. From 1998–1999, Lieutenant General Black attended the Industrial College of the Armed Forces. In 1999 he returned to the Office of The Judge Advocate General to serve as the chief, personnel, plans, and training office. In 2000, Lieutenant General Black returned to Germany as the staff judge advocate, V Corps, U.S. Army Europe and Seventh Army, Germany.

In 2001 Lieutenant General Black was selected for promotion to brigadier general, and so he returned to Washington, DC, to serve as the assistant judge advocate general for military law and operations. In 2003 he was assigned as the first commanding general of the U.S. Army Judge Advocate General's Legal Center and School. In 2005 he became the 37th The judge advocate general of the Army. He was promoted to lieutenant general on 8 December 2008 to become the Army's first 3-star the judge advocate general.

As the judge advocate general of the Army, Lieutenant General Black served as the principal staff officer responsible for the largest legal services corps within the Department of Defense, with over 9,000 uniformed and civilian attorneys, paralegal noncommissioned officers, and civilian support staff across 651 offices in 19 countries. Lieutenant General Black expertly advised the Secretary of the Army and the Army Staff on sensitive issues affecting the Army and the Department of Defense during a tumultuous and difficult time in our Nation's history. Along with the judge advocate generals of the other services he was the conscious of the nation as he provided counsel on novel legal issues in international law and the ethical values fundamental to the United States.

Under his leadership the Judge Advocate General's Corps transitioned along with the rest of the Army so that judge advocates were more accessible and effective to the commanders who rely on their advice. Lieutenant General Black's awards include the Legion of Merit with Oak Leaf Cluster, Army Meritorious Service Medal with four Oak Leaf Clusters, Army Commendation Medal with Oak Leaf Cluster, and the Army Achievement Medal with Oak Leaf Cluster. He has earned the Ranger Tab and the Parachutist Badge.

Lieutenant General Black and his wonderful wife Kim have been married for 33 years. They have four children and one grandchild.

I know all my colleagues join me in saluting LTG Scott C. Black and his family for their many years of truly outstanding service to the Judge Advocate General's Corps, the U.S. Army, and our great Nation.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2454. An act to create clean energy jobs, achieve energy independence, reduce global warming pollution and transition to a clean energy economy.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2190. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Chlorantranilprole; Pesticide Tolerances'' (FRL No. 8413–6) as received during adjournment of the Senate in the Office of the President of the Senate on June 26, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2191. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sodium 1, 4-Dialkyl Sulfosuccinates; Exemption from the Requirement of a Tolerance'' (FRL No. 8423–2) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2192. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pyrimethani; Pesticide Tolerances'' (FRL No. 8423–6) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2193. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Polyglyceryl Phthalate Ester of Coconut Oil Fatty Acids; Exemption from the Requirement of a Tolerance'' (FRL No. 8423–1)as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2194. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''d-Phenothrin; Pesticide Tolerances'' (FRL No. 8417–4) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2195. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cyazofamid; Pesticide Tolerance'' (FRL No. 8423–5) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2196. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Movement of Hass Avocados From Areas Where Mexican Fruit Fly or Sapote Fruit Fly Exist'' ((RIN0579–AC67) (Docket No. APHIS–2006–0189)) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2197. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''2-Propenoic acid, 2-methyl-, polymers with Bu acrylate, Et acrylate, Me methacrylate and polyethylene glycol methacrylate C16–18-alkyl ethers; Tolerance Exemption'' (FRL No. 8422–3) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2198. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to certification, transmittal number: DDTC 019–09, of the proposed sale or export of defense articles, including technical data, and

defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–2199. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to certification, transmittal number: DDTC 032–09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–2200. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to certification, transmittal number: DDTC 036–09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–2201. A communication from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Motor Carrier Fuel Surcharge (DFARS Case 2008–D040)'' (RIN0750–AG30) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Armed Services.

EC–2202. A communication from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Lease of Vessels, Aircraft, and Combat Vehicles (DFARS Case 2006–D013)'' (RIN0750–AF39)as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Armed Services.

EC–2203. A communication from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Use of Commercial Software (DFARS Case 2008–D044)'' (RIN0750–AG32) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Armed Services.

EC–2204. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Bantz J. Craddock, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2205. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General James G. Roudebush, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2206. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Michael D. Rochelle, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2207. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Samuel T. Helland, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2208. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General John D.W. Corley, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2209. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General David D. McKiernan, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2210. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation relative to Authority to Extend Eligibility for Enrollment in Department of Defense Elementary and Secondary Schools to Certain Additional Categories of Dependents and the National Defense Authorization Bill for Fiscal Year 2010; to the Committee on Armed Services.

EC–2211. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Processing of Deposit Accounts in the Event of an Insured Depository Institution Failure'' (RIN3064-AD26) as received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2212. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Temporary Liquidity Guarantee Program'' (RIN3064–AD37) as received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2213. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Interest Rate Restrictions on Insured Depository Institutions That Are Not Well Capitalized'' (RIN3064–AD44) as received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2214. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Special Assessments'' (RIN3064–AD35) as received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2215. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the 2008 Australia Group Intersessional Decisions; Additions to the List of States Parties to the Chemical Weapons Convention'' (RIN0694–AE55) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2216. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Capital—Residential Mortgage Loans Modified Pursuant to the Making Home Affordable Program'' (RIN1557–AD25) as received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2217. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Kingdom of Bahrain; to the Committee on Banking, Housing, and Urban Affairs.

EC–2218. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Norway; to the Committee on Banking, Housing, and Urban Affairs.

EC–2219. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Egypt; to the Committee on Banking, Housing, and Urban Affairs.

EC–2220. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC–2221. A communication from the Secretary of Energy, transmitting, pursuant to law, a report concerning operations at the Naval Petroleum Reserves for fiscal year 2008; to the Committee on Energy and Natural Resources.

EC–2222. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dodecanedioic acid, 1, 12-dihydrazide and Thiophene, 2,5-dibromo-3-hexyl-; Significant New Use Rules'' ((RIN2070–AB27)(FRL No. 8398–5)) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Environment and Public Works.

EC–2223. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''American Recovery and Reinvestment Act of 2009 Clarification of April 30, 2009, Addendum to Supplemental Funding for Brownfields Revolving Loan Fund Grantees'' (FRL No. 8925–6) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Environment and Public Works.

EC–2224. A communication from the Director of Regulatory Management, Office of Policy, Economics and Innovations, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''New York: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 8916–7) as received during adjournment of the Senate in the Office of the President of the Senate on June 26, 2009; to the Committee on Environment and Public Works.

EC–2225. A communication from the Office Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program: Rescission of School-Based Administration/Transportation Final Rule, Outpatient Hospital Services Final Rule, and Partial Rescission of Case Management Interim Final Rule'' (RIN0938–AP75) as received during adjournment of the Senate in the Office of the President of the Senate on June 29, 2009; to the Committee on Finance.

EC–2226. A communication from the Office Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Programs: Health Care-Related Taxes''

(RIN0938–AP74) as received during adjournment of the Senate in the Office of the President of the Senate on June 29, 2009; to the Committee on Finance.

EC–2227. A communication from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Trade Agreements—Costa Rica and Peru (DFARS Case 2008–D046)'' (RIN0750–AG31) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Finance.

EC–2228. A communication from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting, the report of proposed legislation relative to the Asian Development Fund; to the Committee on Foreign Relations.

EC–2229. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Beverages: Bottled Water; Correction'' (Docket No. FDA–2008–N–0446) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–2230. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–115, ''Withholding of Tax on Lottery Winnings Temporary Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2231. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–116, ''City Market at O Street Project Financing Clarification Temporary Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2232. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–117, ''DCPL Procurement Temporary Amendment Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2233. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–118, ''Day Care Facility Temporary Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2234. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–122, ''Adoption and Safe Families Amendment Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–2235. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General from October 1, 2008 through March 31, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–2236. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2008 through March 31, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–2237. A communication from the Acting Senior Procurement Executive, General Services Administration, Department of Defense, and National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–34; Introduction'' (Docket No. FAR2009–0001) as received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–2238. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the report of a confirmation in the position of General Counsel in the Office of the Director of National Intelligence's Office; to the Select Committee on Intelligence.

EC–2239. A communication from the Director of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Vocational Rehabilitation and Employment Program—Duty to Assist'' (RIN2900–AM91) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2009; to the Committee on Veterans' Affairs.

EC–2240. A communication from the Federal Register Liaison Officer, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Civilian Health and Medical Program of the Department of Veterans Affairs: Preauthorization of Durable Medical Equipment'' (RIN2900–AM99) as received during adjournment of the Senate in the Office of the President of the Senate on June 29, 2009; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. FEINSTEIN, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 2996. A bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes (Rept. No. 111–38).

By Mr. KOHL, from the Committee on Appropriations, without amendment:

S. 1406. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes (Rept. No. 111–39).

By Mr. JOHNSON, from the Committee on Appropriations, without amendment:

S. 1407. A bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes (Rept. No. 111–40).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mrs. BOXER for the Committee on Environment and Public Works.

*Colin Scott Cole Fulton, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency.

*Paul T. Anastas, of Connecticut, to be an Assistant Administrator of the Environmental Protection Agency.

*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 Ms. STABENOW (for herself, Mr. ROBERTS, Mr. SCHUMER, Mr. CHAMBLISS, Mrs. HAGAN, Mr. BURR, Mrs. SHAHEEN, Mr. GRAHAM, Ms. LANDRIEU, Mr. LUGAR, Mr. KYL, Mr. DURBIN, and Mr. ISAKSON):

S. 1400. A bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes; to the Committee on Finance.

By Mr. MARTINEZ (for himself, Mr. CASEY, Mr. ENSIGN, and Mr. UDALL of Colorado):

S. 1401. A bill to provide for the award of a gold medal on behalf of Congress to Arnold Palmer in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MERKLEY (for himself and Mr. ALEXANDER):

S. 1402. A bill to amend the Internal Revenue Code of 1986 to increase the amount allowed as a deduction for start-up expenditures; to the Committee on Finance.

By Mr. INOUYE (for himself and Mr. BEGICH):

S. 1403. A bill to amend title VII of the Public Health Service Act to ensure that social work students or social work schools are eligible for support under certain programs that would assist individuals in pursuing health careers or for grants for training projects in geriatrics, and to establish a social work training program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INOUYE:

S. 1404. A bill to implement demonstration projects at federally qualified community health centers to promote universal access to family-centered, evidence-based behavioral health interventions that prevent child maltreatment and promote family well-being by addressing parenting practices and skills for families from diverse socioeconomic, cultural, racial, ethnic, and other backgrounds, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mr. KENNEDY (for himself and Mr. KERRY)):

S. 1405. A bill to redesignate the Longfellow National Historic Site, Massachusetts, as the ''Longfellow House-Washington's Headquarters National Historic Site''; to the Committee on Energy and Natural Resources.

By Mr. KOHL:

S. 1406. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; from the Committee on Appropriations.

By Mr. JOHNSON:

S. 1407. A bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; from the Committee on Appropriations; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID:

S. Res. 208. A resolution to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen; considered and agreed to.

By Mr. ISAKSON (for himself and Mr. CARDIN):

S. Res. 209. A resolution recognizing the 40th anniversary of the National Eye Institute and expressing support for designation of the years 2011 through 2020 as the ''Decade of Vision''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. REID, the name of the Senator from North Carolina (Mrs. HAGAN) 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 New Jersey (Mr. LAUTENBERG) and the Senator from Nebraska (Mr. JOHANNS) 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. 211

At the request of Mr. BURR, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 213

At the request of Mrs. BOXER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 213, a bill to amend title 49, United States Code, to ensure air passengers have access to necessary services while on a grounded air carrier, and for other purposes.

S. 348

At the request of Mr. ROCKEFELLER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 348, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 422

At the request of Ms. STABENOW, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 422, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 451

At the request of Ms. COLLINS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 451, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

S. 461

At the request of Mrs. LINCOLN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 491

At the request of Mr. WEBB, the name of the Senator from Vermont (Mr. SANDERS) 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. 511

At the request of Mr. BROWNBACK, the name of the Senator from New Jersey (Mr. LAUTENBERG) 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. 560

At the request of Mr. FRANKEN, his name was added as a cosponsor of S. 560, a bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during the organizing efforts, and for other purposes.

S. 599

At the request of Mr. CARPER, the name of the Senator from Virginia (Mr. WEBB) 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. 649

At the request of Mr. KERRY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 649, a bill to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Commission.

S. 654

At the request of Mr. BUNNING, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 654, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 693

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 693, a bill to amend the Public Health Service Act to provide grants for the training of graduate medical residents in preventive medicine.

S. 700

At the request of Mr. BINGAMAN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 700, a bill to amend title II of the Social Security Act to phase out the 24-month waiting period for disabled individuals to become eligible for Medicare benefits, to eliminate the waiting period for individuals with life-threatening conditions, and for other purposes.

S. 711

At the request of Mr. BAUCUS, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 711, a bill to require mental health screenings for members of the Armed Forces who are deployed in connection with a contingency operation, and for other purposes.

S. 811

At the request of Mr. INOUYE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 811, a bill to amend the Public Health Service Act to promote mental and behavioral health services for underserved populations.

S. 812

At the request of Mr. BAUCUS, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 812, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 846

At the request of Mr. DURBIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 846, a bill to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 848

At the request of Mrs. MCCASKILL, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 848, a bill to recognize and clarify the authority of the States to regulate intrastate helicopter medical services, and for other purposes.

S. 908

At the request of Mr. BAYH, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 908, a bill to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran.

S. 934

At the request of Mr. HARKIN, the names of the Senator from Rhode Island (Mr. REED), the Senator from Wisconsin (Mr. KOHL), the Senator from South Dakota (Mr. JOHNSON), and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 934, a bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren and protect the Federal investment in the national school lunch and breakfast programs by updating the national school nutrition standards for foods and beverages sold outside of school meals to conform to current nutrition science.

S. 979

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 979, a bill to amend the Public Health Service Act to establish a nationwide health insurance purchasing pool for small businesses and the self-employed that would offer a choice of private health plans and make health coverage more affordable, predictable, and accessible.

S. 981

At the request of Mr. REID, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 981, a bill to support research and public awareness activities with respect to inflammatory bowel disease, and for other purposes.

S. 984

At the request of Mrs. BOXER, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 999

At the request of Mr. BINGAMAN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 999, a bill to increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

S. 1022

At the request of Mr. BAYH, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1022, a bill to amend the Public Health Service Act to establish a graduate degree loan repayment program for nurses who become nursing school faculty members.

S. 1169

At the request of Mrs. GILLIBRAND, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1169, a bill to amend title 10, United States Code, to provide for the treatment of autism under TRICARE.

S. 1210

At the request of Mr. KAUFMAN, the names of the Senator from Washington (Mrs. MURRAY), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Hawaii (Mr. INOUYE) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1210, a bill to establish a committee under the National Science and Technology Council with the responsibility to coordinate science, technology, engineering, and mathematics education activities and programs of all Federal agencies, and for other purposes.

S. 1239

At the request of Mr. BINGAMAN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1239, a bill to amend section 340B of the Public Health Service Act to revise and expand the drug discount program under that section to improve the provision of discounts on drug purchases for certain safety net providers.

S. 1284

At the request of Ms. SNOWE, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1284, a bill to require the implementation of certain recommendations of the National Transportation Safety Board, to require the establishment of national standards with respect to flight requirements for pilots, to require the development of fatigue management plans, and for other purposes.

S. 1304

At the request of Mr. GRASSLEY, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 1304, a bill to restore the economic rights of automobile dealers, and for other purposes.

S. 1308

At the request of Mr. LAUTENBERG, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1308, a bill to reauthorize the Maritime Administration, and for other purposes.

S. 1313

At the request of Mr. LUGAR, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1313, a bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

S. 1319

At the request of Mr. COBURN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1319, a bill to require Congress to specify the source of authority under the United States Constitution for the enactment of laws, and for other purposes.

S. 1344

At the request of Mr. VITTER, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from Nevada (Mr. ENSIGN) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 1344, a bill to temporarily protect the solvency of the Highway Trust Fund.

S. 1397

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1397, a bill to authorize the Administrator of the Environmental Protection Agency to award grants for electronic device recycling research, development, and demonstration projects, and for other purposes.

S.J. RES. 16

At the request of Mr. DEMINT, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S.J. Res. 16, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

S.J. RES. 17

At the request of Mrs. FEINSTEIN, the names of the Senator from Ohio (Mr. BROWN), the Senator from Illinois (Mr. BURRIS), the Senator from Pennsylvania (Mr. CASEY), the Senator from North Carolina (Mrs. HAGAN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Vermont (Mr. SANDERS), the Senator from Pennsylvania (Mr. SPECTER) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S. CON. RES. 25

At the request of Mr. MENENDEZ, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. Con. Res. 25, a concurrent resolution recognizing the value and benefits that community health centers provide as health care homes for over 18,000,000 individuals, and the importance of enabling health centers and other safety net providers to continue to offer accessible, affordable, and continuous care to their current patients and to every American who lacks access to preventive and primary care services.

S. RES. 71

At the request of Mr. WYDEN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. Res. 71, a resolution condemning the Government of Iran for its state-sponsored persecution of the Baha'i minority in Iran and its continued violation of the International Covenants on Human Rights.

S. RES. 200

At the request of Mr. UDALL of Colorado, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. Res. 200, a resolution designating September 12, 2009, as ''National Childhood Cancer Awareness Day''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MERKLEY (for himself and Mr. ALEXANDER):

S. 1402. A bill to amend the Internal Revenue Code of 1986 to increase the amount allowed as a deduction for start-up expenditures; to the Committee on Finance.

Mr. MERKLEY. Mr. President, I rise today to discuss legislation that will make it significantly easier for small businesses to open their doors. Providing a helping hand to small businesses is important at any time, but never more so than now, when so many Americans are out of work.

Small businesses are the engines of our economy. By some estimates, they employ approximately half the private workforce, and, in rural America, comprise nine out of ten businesses. In my home State of Oregon, many of the rural counties have unemployment rates approaching—or even surpassing—20 percent. Clearly, small businesses are going to be instrumental in turning things around.

Furthermore, small businesses are innovators—they produce 13 times more patents per employee than large firms. Right now, the U.S. needs this kind of innovation more than ever.

Our economy cannot thrive if small businesses are not doing well.

Unfortunately, it can be very difficult for small businesses to succeed. Start-up expenses are often prohibitive and it can take a few years before business owners begin to see a profit. There are administrative systems to create, employees to hire, a client base to build and supplies to purchase. This adds up to a lot of expenses. A Gallup poll showed that the average small business incurs $10,000 in expenses during that first year. However, if a business can last 4 years, it is much more likely to survive in the long term. We need to do more to help these businesses get through this difficult period.

Today, I am joining with my colleague from Tennessee, Senator ALEXANDER, to introduce legislation that will help small businesses through their first year. The Small Business Jump Start Act of 2009 lessens the tax burden on new small businesses by doubling the deduction they can take for start-up expenses to $10,000. The Act also widens the pool of businesses eligible to take the full amount of the deduction in their first year of business. The Small Business Jump Start Act gives these new businesses a boost that first year, and for some, will eliminate the tax complications of amortizing start-up expenses. The Small Business Jump Start Act of 2009 is supported by the U.S. Chamber of Commerce, the National Federation of Independent Businesses, the National Association of the Self-Employed, and the National Association of Small Businesses.

I will highlight one Oregon small business that the Jump Start Act could have helped. Jack and Giovanina Giaccarini moved to Grants Pass, Oregon after Hurricane Katrina came through their town in Mississippi. It was their dream to start a business installing systems to help quadriplegics and disabled veterans maneuver around their homes. The first year of their business was tough—finding start-up capital was difficult and purchasing just one system to use for demonstrations cost $10,000. They struggled. Now they are in their third year of business and finally making a profit. Having a Jump Start in that first year would have made a significant difference early on.

This bill will go a long way for new small businesses looking to open their doors and employ people in their communities. Colleagues, in order to help America's small businesses and the economies of rural America, I urge you to support the Small Business Jump Start Act of 2009. It is time to reach out a helping hand to entrepreneurs and assist them in starting that new business now, to jump start our economy and create new jobs across America.

Mr. President, I ask unanimous consent that the text of the bill and letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1402

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 ''Small Business Jump Start Act of 2009''.

SEC. 2. INCREASE IN AMOUNT ALLOWED AS DEDUCTION FOR START-UP EXPENDITURES.

(a) IN GENERAL.—Subsection (b) of section 195 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR TAXABLE YEARS BEGINNING IN 2009, 2010, OR 2011.—In the case of a taxable year beginning in 2009, 2010, or 2011, paragraph (1)(A)(ii) shall be applied—

''(A) by substituting '$10,000' for '$5,000', and

''(B) by substituting '$60,000' for '$50,000'.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after the date of the enactment of this Act.

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,
Washington, DC, June 26, 2009.

Hon. JEFF MERKLEY,
U.S. Senate,
Washington, DC.

DEAR SENATOR MERKLEY: As a longstanding advocate of tax relief for small businesses, the U.S. Chamber of Commerce applauds your leadership on introducing the ''Small Business Jump Start Act of 2009.'' This bill would increase the small business start-up expense deduction from $5,000 to $10,000 and increase the threshold for the deductions phase-out from $50,000 to $60,000.

A robust small business community is a vital component to America's economic recovery. Allowing small business owners the opportunity to expense additional start-up costs up front would foster more entrepreneurial activity and further encourage the important role of small business as the job producers in our economy.

The U.S. Chamber of Commerce is the world's largest business federation, representing more than three million businesses and organizations of every size, sector, and region. More than 96 percent of the Chamber's members are small businesses and organizations with 100 or fewer employees. On behalf of these small employers, the Chamber strongly supports your efforts to encourage investment and growth in America's 27 million small enterprises and looks forward to working with you to pass this important legislation.

Sincerely,

R. BRUCE JOSTEN,
Executive Vice President,
Government Affairs.

NATIONAL ASSOCIATION FOR THE SELF-EMPLOYED,
Washington, DC, July 7, 2009.

Hon. JEFF MERKLEY,
U.S. Senate,
Washington, DC.

DEAR SENATOR MERKLEY: On behalf of the National Association for the Self-Employed (NASE) and our 250,000 member businesses, I am pleased to announce our support for the Small Business Jump Start Act of 2009. We strongly believe that in this uncertain economic time it is more important than ever to assist our nation's budding entrepreneurs.

By increasing the start up business expenses deduction, the Small Business Jump Start Act will greatly assist start up ventures at the most critical time—their first year of business—and give them the financial boost they need to succeed.

The NASE believes that entrepreneurs have been pillars of innovation and job creation, fueling much of what is great about America. Legislation that supports and invests in these enterprises is in the best interests of our economy and our nation. We feel that the Small Business Jump Start Act of 2009 will encourage many individuals who have been considering entrepreneurship, to take the next steps to open their small business and in turn, help create jobs in this tough economy.

If you have any questions or comments, please contact Kristie Arslan, NASE's executive director. We are looking forward to working with you and your staff to gain passage of this legislation.

Thank you for your leadership on this important small business issue.

Sincerely,

ROBERT HUGHES,
President.

NATIONAL FEDERATION OF INDEPENDENT BUSINESS,
Nashville, TN, July 7, 2009.

Hon. JEFF MERKLEY,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR MERKLEY: On behalf of the National Federation of Independent Business (NFIB), the nation's leading small business advocacy organization, I want to thank you for introducing the Small Business Jump Start Act, a bill to increase the start-up deduction for new small businesses from $5,000 to $10,000.

While a typical business can deduct its ordinary business expenses in the year the expenses are paid, a start-up business is limited as to how much and when it can deduct start-up expenses. Start-up business expenses are the costs associated with formation of a business made prior to the actual opening of the business. Most new small businesses face significant start-up costs, including advertising, obtaining licenses, permits and fees, paying rent, hiring business and financial consultants and providing employee training. Under this bill, expenses

connected with setting up or investing in the creation of a new business are deductible up to $10,000 in the first year of the business.

During a time of economic uncertainty, this legislation provides a significant incentive for entrepreneurs—as well as many people who have recently lost their jobs—to start their own business. By increasing the start-up cost deduction, small business owners will be able to put money back into their business sooner, creating greater opportunities for job creation and investment in local economies.

Thank you again for introducing this bill to help America's small businesses. I look forward to working with you on this issue as the 111th Congress continues.

Sincerely,

SUSAN ECKERLY,
Senior Vice President,
Federal Public Policy.

NATIONAL SMALL
BUSINESS ASSOCIATION,
JULY 7, 2009.

Hon. JEFF MERKLEY,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR MERKLEY: On behalf of the National Small Business Association, I would like to thank you for your leadership in crafting the Small Business Jump Start Act of 2009. As the nation's oldest nonpartisan small business advocacy group, NSBA reaches more than 150,000 small businesses nation-wide, and our members have highlighted tax relief as a top priority for the 111th Congress.

Small business is one of the primary catalysts of both job growth and innovation in our national economy. In fact, according to the Small Business Administration since the mid-1990s, small businesses have created 60 to 80 percent of the net new jobs annually.

However, over the past year, small businesses have experienced marked economic challenges. Between skyrocketing gas prices, a weak real estate market and the credit crunch, today's slow economy is having a noticeable effect on our entrepreneurs. This new reality is coupled with the fact that the first year of a small business is often difficult and expensive. New employer establishments face challenges keeping up with growing first year demands—building a client base, hiring employees, creating new products and services, and often opening a facility.

Yet, small businesses that make it past the first four years have a better chance of surviving long-term and this is why your legislation is so crucial. It will boost the federal tax deduction for small business start-up costs and broaden the pool of businesses eligible for the deduction.

Start-up businesses are currently eligible for a $5,000 tax deduction if they spend $50,000 or less to open their doors. The legislation proposed by you would boost the deduction to $10,000 and also expand eligibility to companies that spend up to $60,000 on start-up costs. The deduction would be phased out dollar-for-dollar for expenditures above $60,000. A business that spends $61,000 in start-up costs, for example, could deduct $9,000 under the proposed legislation and take the remaining $1,000 deduction over 15 years, just as in current law.

Small businesses are the lifeblood of all communities, and this bill supports them by providing the financial assistance they need to achieve success. The Small Business Jump Start Act of 2009 will give small businesses the necessary financial boost in their first year which will encourage investments that create jobs and economic growth. NSBA supports this measure, and commends you for working to bring this legislation to the Senate floor.

Sincerely,

TODD MCCRACKEN,
President.

By Mr. INOUYE:

S. 1404. A bill to implement demonstration projects at federally qualified community health centers to promote universal access to family-centered, evidence-based behavioral health interventions that prevent child maltreatment and promote family well-being by addressing parenting practices and skills for families from diverse socioeconomic, cultural, racial, ethnic, and other backgrounds, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. INOUYE. Mr. President, today I introduce the Supporting Child Maltreatment Prevention Efforts in Community Health Centers Act of 2009. I am introducing this bill on behalf of the American Psychological Association and the National Association of Community Health Centers. This much-needed legislation would help address a critical problem in our country, the abuse and neglect of millions of children. Today, I am introducing legislation that will help address this preventable tragedy.

Unfortunately, child maltreatment continues to be a serious public health problem in our country that affects millions of children and their families. Child abuse and neglect can take many forms, including neglect of children's medical needs, physical or psychological maltreatment, sexual abuse, and multiple types of maltreatment.

In 2007 alone, an estimated 5.8 million were allegedly victims of maltreatment, 3.2 million referrals were made to Child Protective Services agencies, and 794,000 children were determined to be victims of abuse and neglect. During that same year, 1,760 children died as a result of abuse or neglect, most of them younger than 4-years old.

Nearly 80 percent of the perpetrators of child maltreatment were parents, and approximately seven percent were other relatives. Therefore, child maltreatment is a tragedy that impacts millions of children in their own families. Considering that not all maltreatment is reported to the authorities, the actual numbers are estimated to be higher.

Focusing on prevention will help save billions of dollars that are currently spent annually—due to victimization and injuries—with hospitalization, visits to ER, out-of-home placements, CPS services, investigations, incarceration of abusers, services to address mental health issues, and other related costs.

At the same time, we know that community health centers represent a unique resource for many families who depend on their services to obtain much-needed health and mental health care. Community Health Centers, CHCs, served 16 million individuals in 2007, most of them poor, uninsured, and at-risk for child maltreatment. In fact, one in five low-income children in the U.S. receives health care at a CHC. Furthermore, the centers provide comprehensive primary care services that set up the stage for an integrated care model.

Given this evidence, the American Psychological Association, APA, convened a group of experts to review the best available science to identify and recommend public health strategies to prevent child maltreatment within the context of behavioral health integration at community health centers. For decades, the APA and its members have been at the forefront of child maltreatment prevention efforts in research, development of interventions, and evaluation. The findings of this report provided the seed to develop this critical legislation on behalf of children and families in our country.

Among its provisions, this important legislation supports the implementation of demonstration projects at federally qualified health centers to promote universal access to a family-centered integrated and voluntary services model, evidence-based behavioral health interventions that prevent child maltreatment and promote family well-being by addressing parenting practices and skills for families from diverse socioeconomic, cultural, racial, ethnic, and other backgrounds. The bill would also support program evaluation outcomes, technical assistance, project coordination, and the design and implementation of a cross-site evaluation plan.

I have been committed to the support of psychology contributions to children and families and the vital role of community health centers for decades. This bill will help address the critical need to help and protect our nation's children by giving their parents and caregivers the tools and skills they need to be become the best parents and caregivers they can be and to, ultimately, help prevent child abuse and neglect.

It is my hope that the science-based recommendations utilized in the development of this legislation will serve as a useful resource to inform current health care reform legislative efforts.

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. 1404

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 ''Supporting Child Maltreatment Prevention Efforts in Community Health Centers Act of 2009''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds as follows:

(1) Child abuse and neglect are serious public health problems in this country. During

2007, approximately 3,200,000 referrals, involving the alleged maltreatment of approximately 5,800,000 children, were sent to child protective services agencies.

(2) The most recent data show 794,000 substantiated cases of child abuse and neglect in 2007, and child maltreatment-related deaths rose 15.5 percent in 2007. Approximately 1,760 children in the United States, nearly ¾ of whom were under 4 years of age, died as a result of abuse or neglect.

(3) Early childhood experiences may have lifelong effects. Severe and chronic childhood stress, including from maltreatment and exposure to violence, is associated with persistent effects and can lead to enduring health, behavior, and learning problems.

(4) Child maltreatment has—

(A) psychological and behavioral consequences such as depression, anxiety, suicide, aggressive behavior, delinquency, posttraumatic stress disorder, and criminal behavior;

(B) health consequences, including injuries and death, chronic obstructive pulmonary disease, smoking, heart disease, liver disease, and drug use; and

(C) developmental consequences that can compromise brain development and learning.

(5) Child maltreatment has significant financial consequences, including the short-term costs associated with case handling by child protective services and investigations, hospitalization or emergency room visits for medical treatment of injuries, out-of-home placement alternatives, services to address mental health and substance abuse problems, loss of productivity, and poor physical health requiring multiple treatments.

(6) Child maltreatment can be prevented. Given that parents and caregivers are responsible for the majority of the abuse and neglect, caregiver-focused strategies and interventions that address parenting skills and parental risk factors such as depression, substance abuse, and intimate partner violence, as well as strategies and interventions that promote family well-being are critical. Parenting practices are amenable to change, given reasonable efforts, and the building of safe, stable, nurturing parent-child relationships is a scientifically proven strategy for the prevention of child maltreatment.

(7) Prevention of child maltreatment should have a focus on primary prevention (before any maltreatment), emphasizing community-centered and population-based strategies.

(8) Prevention of child maltreatment should focus on promoting healthy parent-child relationships and an environment that provides safe, stable, nurturing relationships for children.

(9) Primary health care is an existing and widely-accessed system in which a range of prevention strategies can be implemented, and there is growing evidence that primary health care settings are promising venues in which to conduct child maltreatment prevention and behavioral health promotion programs.

(10) Community health centers (referred to in this Act as ''CHCs'') serve more than 18,000,000 individuals in the United States annually, including individuals who are poor, uninsured, hard-to-reach, and at-risk for child maltreatment.

(11) One in 5 low-income children in the United States receives health care at a CHC.

(12) CHCs are an existing network of neighborhood health clinics widely and regularly accessed by families in need that can serve as a fitting venue for child maltreatment prevention initiatives.

(13) In the last decade, behavioral issues have had an expanding presence in the portfolio of services of CHCs. Seventy percent of CHCs have some, if minimal, on-site mental health and substance abuse services. When demand exceeds capacity or on-site services do not exist, CHCs refer individuals to off-site options.

(14) The integration of behavioral health services in primary care settings is a promising framework. Evaluation results of integrated care have shown—

(A) improvement in service utilization, such as shorter waiting time and fewer sessions to complete treatment;

(B) reduction in the stigma related to mental health services; and

(C) improvement in access to services.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To fund the implementation of a minimum of 10 demonstration projects of evidence-based and promising parenting programs at federally qualified health centers.

(2) To provide universal access to a family-centered integrated and voluntary services model that prevents child maltreatment and promotes family well-being and which may include:

(A) implementation of evidence-based preventive parenting skills training programs at health centers or permanent or temporary residences of caregivers to strengthen the capacity of parents to care for their children's health and well-being and promote their own ability to create safe, stable, nurturing family environments that protect children and youth from abuse and neglect and its consequences and support children's optimal social, emotional, physical, and academic development;

(B) screening to identify parental risk factors such as depression, substance abuse, and intimate partner violence that are associated with the likelihood that parents will abuse or neglect their children, and to further develop screening methods and instruments; and

(C) linkage with, and referral to, on-site individualized quality mental health services provided by trained mental health professionals for parents and caregivers screening positive for child maltreatment risk factors to help them overcome the impediments to effective parenting and change their behaviors toward child rearing and parenting.

(3) To coordinate the design and implementation of an evaluation plan to assess the impact and feasibility of integrated services model implementation at each federally qualified health center participating in the demonstration project for health outcomes, cost effectiveness, patient satisfaction, program local adaptation, reduction of child maltreatment and injuries, and improvement of parenting behaviors and family functioning.

(4) To implement critical system factors for successful implementation of the integrated services model to prevent child maltreatment. Such factors include training of a culturally- and linguistically-competent workforce, use of best available technology, establishment of cooperation among FQHCs participating in the demonstration project, and building internal and external buy-in and support for the project.

(5) To coordinate the design and implementation of the cross-site system-wide evaluation plan to assess the impact and feasibility of an integrated services model on the reduction of child maltreatment and injuries, to increase a family's access to services, to evaluate the effectiveness of the response of FQHCs organizational systems to the model implemented, and to identify lessons learned and outline recommendations for system-wide areas for improvement and changes.

SEC. 3. DEFINITIONS.

In this Act:

(1) FEDERALLY QUALIFIED HEALTH CENTER OR FQHC.—The term ''federally qualified health center'' or ''FQHC'' means an entity receiving a grant under section 330 of the Public Health Service Act (42 U.S.C. 254b).

(2) CAREGIVERS.—The term ''caregiver'' means an adult who is the primary caregiver, including biological, adoptive, or foster parents, grandparents or other relatives, and non-custodial parents who have an ongoing relationship, and provides physical care for, 1 or more children under the age of 10. Caregivers may be individuals who were born in, or outside of, the United States and individuals whose main language is not English, including American Indians and Alaska Natives. Caregivers may be heterosexual or homosexual, and may have learning, physical, and other disabilities.

(3) CENTER-BASED EVIDENCE-BASED PREVENTIVE PARENTING SKILLS PROGRAM.—The term ''center-based evidence-based preventative parenting skills program'' means research-based and proven, promising interventions provided and located at a health center that—

(A) have the potential for broad impact across multiple types of maltreatment, including physical and psychological abuse and neglect;

(B) are associated with effective parent behaviors and parenting practices and with reducing child behavior problems;

(C) may be expected to reduce child maltreatment rates; and

(D) may be implemented at the FQHCs.

(4) HOME VISITATION PROGRAM.—The term ''home visitation program'' means an evidence-based program in which trained professionals visit a caregiver in the permanent or temporary residence of the caregiver, and provide a combination of information, support, or training regarding child development, parenting skills, and health-related issues.

(5) MENTAL HEALTH SERVICES.—The term ''mental health services'' means psychotherapeutic interventions offered at health centers, or off-site locations in partnership with health centers, by mental health professionals to caregivers that screen for or are referred for child maltreatment.

(6) SCREENING.—The term ''screening'' means a form of triage, using valid, culturally-sensitive tools such as scales or questionnaires applied universally by trained professionals to identify caregivers who are at-risk for maltreating or neglecting children. Screening assesses parental risks for child maltreatment such as depression, substance abuse, and intimate partner violence.

SEC. 4. GRANTS FOR DEMONSTRATION PROJECTS ON INTEGRATED FAMILY-CENTERED PREVENTIVE SERVICES.

(a) DEMONSTRATION PROJECT GRANTS.—The Secretary of Health and Human Services, acting through the Director of the National Center for Injury Prevention and Control of the Centers for Disease Control and Prevention, shall award competitive grants to eligible federally qualified health centers to fund a minimum of 10 demonstration projects to promote—

(1) universal access to family-centered, evidence-based interventions in the FQHCs that prevent child maltreatment by addressing parenting practices and skills; and

(2) behavioral health and family well-being for families from diverse socioeconomic, cultural, racial, and ethnic backgrounds, including addressing issues related to sexual orientation and individuals with disabilities.

(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), an entity shall—

(1) be a federally qualified community health center; and

(2) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(c) USE OF GRANT FUNDS.—A federally qualified health center receiving a grant under subsection (a) may use such funds to—

(1) conduct a needs assessment for the demonstration project, including the need for proposed integrated services, the number of caregivers involved, an organizational assessment, workforce capacity and needs, and technological needs;

(2) use available technologies to collect, organize, and provide access to health and mental health information of patients, and to provide referrals, train staff, monitor service delivery and outcomes, and create networking opportunities for on-site providers and others in the community;

(3) adapt and implement evidence-based parenting skills training programs for caregivers from all backgrounds who use the health center for health care and child well-visits, through on-site programs or programs operated at permanent or temporary residences and administered, supervised, and monitored by trained professionals employed by the FQHC;

(4) adapt instruments and screen caregivers for child maltreatment risk factors such as depression, substance abuse, and intimate partner violence, provided that such screening is conducted by trained professionals employed by the FQHC;

(5) provide access to mental health services to caregivers screened positive for child maltreatment risk factors, which may include services offered at the health centers or at off-site locations in partnership with the health centers, and which shall be conducted by mental health professionals;

(6) promote models of integrated care that involve behavioral health specialists and primary care providers working collaboratively in integrated teams to deliver services that prevent child maltreatment and promote family well-being;

(7) develop public education campaigns to increase community awareness of the integrated services offered by the health centers; and

(8) evaluate patient satisfaction, project cost effectiveness, results of the integrated services model, and effectiveness of evidence-based parenting programs in improving parenting practices and reducing child abuse and neglect.

(d) DURATION OF GRANT.—A grant under subsection (a) shall be awarded for a period not to exceed 5 years.

(e) TECHNICAL ASSISTANCE AND PROJECT COORDINATION.—

(1) IN GENERAL.—The Secretary shall award a contract to 1 or more eligible entities to provide—

(A) technical assistance and project coordination for the recipients of grants under subsection (a);

(B) training for health care professionals, including mental health care professionals, at FQHCs that receive grants under subsection (a); and

(C) cross-site evaluation of the demonstration projects under subsection (a).

(2) ELIGIBLE ENTITIES.—To be eligible to receive a contract under this section, an entity shall—

(A) be—

(i) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(ii) a nonprofit organization that qualifies for tax exempt status under section 501(c)(3) of the Internal Revenue Code of 1986; or

(iii) such national and professional organizations and community-based organizations as the Secretary determines appropriate;

(B) have expertise in parent-child relationships, parenting programs, prevention of child maltreatment, the integration of behavioral health in primary and community health center settings, and coordinating multi-sites projects;

(C) demonstrate a defined or proposed collaboration with purveyors of evidence-based child maltreatment prevention interventions; and

(D) submit to the Secretary an application that includes—

(i) an outline of a technical assistance and coordination plan and timeline;

(ii) a description of activities, services, and strategies to be used to reach out and work with the FQHCs and others involved in the demonstration projects under subsection (a); and

(iii) a description of the evaluation methods and strategies the entity plans to use, and an outline of the progress and final reports required under subsection (f)(2).

(3) PRIORITY.—In awarding contracts under this subsection, the Secretary shall give priority to eligible entities whose applications under paragraph (2)(D) demonstrate that the evaluation design of such eligible entity uses strong experimental designs that capture a range of health and behavioral outcomes and include feasibility evaluation of the integrated health-behavioral health services model. Such evaluation designs should provide evaluation results that identify lessons learned and generate recommendations for improvements and changes.

(4) AUTHORIZED ACTIVITIES.—Each recipient of a contract under this subsection shall use such award to provide technical assistance to the FQHCs receiving a grant under subsection (a) and to provide coordination and cross-site evaluation of such demonstration projects to the Secretary. Such technical assistance and coordination and cross-site evaluation may include—

(A) establishing and implementing uniform tracking and monitoring systems across FQHCs participating in the demonstration project, using the best available, highest level of technological tools;

(B) developing and implementing a cross-site, multi-level evaluation plan using rigorous research and evaluation designs to evaluate the demonstration projects across FQHCs;

(C) ensuring that, in implementing the evidence-based parenting training programs, each such FQHC follows standardized manuals and protocols, and ensuring effectiveness of the integrated services of each FQHC in promoting positive stable, nurturing parent-child relationships and preventing child maltreatment and injuries;

(D) ensuring an effective and feasible evaluation of the outcomes of the demonstration projects, including an assessment of—

(i) improvement of parent knowledge of child social, emotional, cognitive development;

(ii) improvement of parent-child relationships;

(iii) parental use of positive discipline methods and effective communication skills;

(iv) health outcomes for children;

(v) reduction of incidence of child maltreatment;

(vi) cost-effectiveness of the demonstration projects;

(vii) implementation that follows standardized manuals and protocols;

(viii) the interdisciplinary collaborative model;

(ix) cultural sensitivity and local adaptation of the projects;

(x) any increase in access to services; and

(xi) further improvements and changes needed at the FQHCs;

(E) establishing and coordinating the implementation of a workforce development and training plan to ensure that professionals working at the health centers, including physicians, nurses, nurse practitioners, psychologists, social workers, physician's assistants, clinical pharmacists, and others, are trained to participate in interdisciplinary teams and work collaboratively to provide culturally-competent and linguistically-sensitive integrated services to all caregivers coming to such center, with a focus on the development and strengthening of—

(i) knowledge of the public health model, child development, family functioning, the problem of child maltreatment, and methods of prevention;

(ii) core attitudes, including the belief that child maltreatment is preventable, professionals have a role in prevention, families are partners in preventing maltreatment, and evaluation is a critical element of interventions;

(iii) ability to conduct screenings, implement evidence-based parenting programs, provide mental health services, and collaborate with evaluation efforts;

(iv) ability to manage the site project, participate in interdisciplinary teams, work on integrated efforts, and master technology for best results;

(v) the knowledge, skills, and attitude to work with individuals from diverse cultural, racial, ethnic, and other backgrounds; and

(vi) an understanding of cross-field culture and language to effectively participate in interdisciplinary teams and collaborate in integrated activities;

(F) educating and involving the governing boards of FQHCs participating in the demonstration projects in the integrated service efforts;

(G) promoting partnerships with State and local institutions of higher education, community networks, and professional associations for staff training and recruitment;

(H) promoting collaboration and networking among FQHCs participating in the demonstration projects; and

(I) establishing and coordinating child maltreatment prevention collaboratives across FQHCs participating in the demonstration projects and helping such FQHCs partner with local departments of child welfare and community mental health centers.

(5) ADVISORY GROUPS.—

(A) IN GENERAL.—Each recipient of a contract under this subsection shall establish an advisory group. Each such advisory group shall provide feedback and input to the contract recipient to ensure such recipient's effectiveness in providing quality services.

(B) MEMBERSHIP.—Each such advisory group shall be composed of representatives of—

(i) national organizations representing community health centers;

(ii) national professional organizations representing professionals from various fields, including pediatrics, nursing, psychology, and social work; and

(iii) government agencies with relevant expertise, as determined by the Director of the National Center for Injury Prevention and Control of the Centers for Disease Control and Prevention.

(f) EVALUATION AND REPORTING.—

(1) DEMONSTRATION PROJECT REPORTING.—

(A) ANNUAL PROGRESS EVALUATION AND FINANCIAL REPORTING.—For the duration of the grant under subsection (a), each FQHC shall submit to the Secretary an annual progress evaluation and financial reporting indicating activities conducted and the progress of the health center toward achievement of established outcomes, including cost effectiveness, patient satisfaction, program local adaptation, reduction of child maltreatment and injuries, and improvement of parenting behaviors and family functioning.

(B) FINAL REPORT.—At the end of the grant period, each FQHC shall submit a final report with evaluation data analysis and conclusions related to the outcomes of the demonstration project.

(2) TECHNICAL ASSISTANCE REPORTING.—

(A) ANNUAL PROGRESS AND FINANCIAL REPORT.—For the duration of the contract under subsection (e), each technical assistance provider shall submit to the Secretary an annual progress and financial report indicating activities conducted under such contract.

(B) FINAL REPORT.—At the end of the contract period, each recipient of a technical assistance contract under subsection (e) shall submit to the Secretary a final report that includes—

(i) an analysis of comparative data related to effectiveness and feasibility of projects implemented at the FQHCs, workforce training, and achievement of outcomes at the FQHCs;

(ii) overall recommendations for system improvement and changes that would allow the demonstration projects to be expanded;

(iii) an outline of the project results; and

(iv) a plan that outlines opportunities and vehicles for the dissemination of cross-site evalution results, findings, and recommendations.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—To carry out the demonstration project grant program described in subsection (a), there are authorized to be appropriated $10,000,000 for fiscal year 2010, and such sums as may be necessary for each of fiscal years 2011 through 2014.

(2) TECHNICAL ASSISTANCE.—The Secretary shall reserve not less than 10 percent of the amounts appropriated under paragraph (1) to carry out the technical assistance program described in subsection (e).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 208—TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED ELEVENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 208

Resolved, That the following shall constitute the majority party's membership on the following committee for the One Hundred Eleventh Congress, or until their successors are chosen:

COMMITTEE ON THE JUDICIARY: Mr. Leahy (Chairman), Mr. Kohl, Mrs. Feinstein, Mr. Feingold, Mr. Schumer, Mr. Durbin, Mr. Cardin, Mr. Whitehouse, Ms. Klobuchar, Mr. Kaufman, Mr. Specter, and Mr. Franken.

SENATE RESOLUTION 209—RECOGNIZING THE 40TH ANNIVERSARY OF THE NATIONAL EYE INSTITUTE AND EXPRESSING SUPPORT FOR DESIGNATION OF THE YEARS 2011 THROUGH 2020 AS THE ''DECADE OF VISION''

Mr. ISAKSON (for himself and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 209

Whereas vision impairment and eye disease are major public health problems, especially due to the aging of the population;

Whereas there is a disproportionate incidence of eye disease in minority populations;

Whereas vision loss as a result of diabetes and other chronic diseases costs the people of the United States $68,000,000,000 each year in health care expenses, lost productivity, reduced independence, diminished quality of life, increased depression, and accelerated mortality;

Whereas approximately 38,000,000 people in the United States over 40 years of age currently experience blindness, low-vision, or an age-related eye disease, and this number is expected to grow to 50,000,000 by 2020, as the tidal wave of approximately 78,000,000 baby boomers who will begin to reach 65 years of age in 2010, many of whom will continue working well beyond age 65, crashes;

Whereas, in public opinion polls conducted during the past 40 years, people in the United States have consistently identified fear of vision loss as second only to fear of cancer, and, as recently as 2008, a study by the National Eye Institute showed that 71 percent of respondents indicated that a loss of eyesight would have the greatest impact on their life;

Whereas, with wisdom and foresight, Congress passed an Act entitled ''An Act to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health'' (Public Law 90–489; 82 Stat. 771), which was signed into law by President Johnson on August 16, 1968;

Whereas the National Eye Institute (in this resolution referred to as the ''NEI'') held the first meeting of the National Advisory Eye Council on April 3, 1969;

Whereas the NEI leads the Federal commitment to basic and clinical research, research training, and other programs with respect to blinding eye diseases, visual disorders, mechanisms of visual function, preservation of sight, and the special health problems and needs of individuals who are visually-impaired or blind;

Whereas the NEI disseminates information aimed at the prevention of blindness, specifically through public and professional education facilitated by the National Eye Health Education Program;

Whereas the NEI maximizes Federal funding by devoting 85 percent of its budget to extramural research that addresses a wide variety of eye and vision disorders, including ''back of the eye'' retinal and optic nerve disease, such as age-related macular degeneration, glaucoma, and diabetic retinopathy, and concomitant low vision, and ''front of the eye'' disease, including corneal, lens, cataract, and refractive errors;

Whereas research by the NEI benefits children, including premature infants born with retinopathy and school children with amblyopia (commonly known as ''lazy eye'');

Whereas the NEI benefits older people in the United States by predicting, preventing, and preempting aging eye disease, thereby enabling more productive lives and reducing Medicare costs;

Whereas the NEI has been a leader in basic research, working with the Human Genome Project of the National Institutes of Health to translate discoveries of genes related to eye disease and vision impairment, which make up ¼ of genes discovered to date, into diagnostic and treatment modalities;

Whereas the NEI has been a leader in clinical research, funding more than 60 clinical trials (including a series of Diabetic Retinopathy Clinical Trials Networks, in association with the National Institute for Diabetes and Digestive and Kidney Disorders) which have developed treatment strategies that have been determined by the NEI to be 90 percent effective and to save an estimated $1,600,000,000 each year in blindness and vision impairment disability costs;

Whereas the NEI has been a leader in prevention research, having reported from the first phase of its Age-Related Eye Disease Study that high levels of dietary zinc and anti-oxidant vitamins reduced vision loss in individuals at high risk for developing advanced age-related macular degeneration by 25 percent, and, in the second phase of Age-Related Eye Disease Study, studying the impact of other nutritional supplements;

Whereas the NEI has been a leader in epidemiologic research, identifying the basis and progression of eye disease and the disproportionate incidence of eye disease in minority populations, so that informed public health policy decisions can be made regarding prevention, early diagnosis, and treatment;

Whereas the NEI has been a leader in collaborative research across the National Institutes of Health, working with the National Cancer Institute and the National Heart, Lung, and Blood Institute to identify factors that promote or inhibit new blood vessel growth, which has resulted in the first generation of ophthalmic drugs approved by the Food and Drug Administration to inhibit abnormal blood vessel growth in the form of age-related macular degeneration commonly known as the ''wet'' form of age-related macular degeneration, thereby stabilizing, and often restoring, vision;

Whereas the NEI has been a leader in collaborative research with other Federal entities, and its bioengineering research partnership with the National Science Foundation and the Department of Energy has resulted in a retinal chip implant, referred to as the ''Bionic Eye'', that has enabled individuals who have been blind for decades to perceive visual images;

Whereas the NEI has been a leader in collaborative research with private funding entities, and its human gene therapy trial with the Foundation Fighting Blindness for individuals with Leber Congenital Amaurosis, a rapid retinal degeneration that blinds infants in their first year of life, has demonstrated measurable vision improvement even within the initial safety trials;

Whereas, from 2011 through 2020, the people of the United States will face unprecedented public health challenges associated with aging, health disparities, and chronic disease; and

Whereas Federal support by the NEI and related agencies within the Department of Health and Human Services is essential for prevention, early detection, access to treatment and rehabilitation, and research associated with vision impairment and eye disease: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 40th anniversary of the NEI, commends the NEI for its leadership, and supports the mission of the NEI to prevent blindness and to save and restore vision;

(2) supports the designation of the years 2011 through 2020 as the ''Decade of Vision'', to—

(A) maintain a sustained awareness of the unprecedented public health challenges associated with vision impairment and eye disease; and

(B) emphasize the need for Federal support for prevention, early detection, access to treatment and rehabilitation, and research; and

(3) commends the National Alliance for Eye and Vision Research, also known as the ''Friends of the National Eye Institute'', for

its efforts to expand awareness of the incidence and economic burden of eye disease through its Decade of Vision 2011–2020 Initiative.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1371. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes.

SA 1372. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1373. Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) proposed an amendment to the bill H.R. 2892, supra.

SA 1374. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1375. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1376. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1377. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1378. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1379. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1380. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1381. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1382. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1383. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1384. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1385. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1386. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1387. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1388. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1389. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1390. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1391. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1392. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1393. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1394. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1395. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1396. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1397. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1398. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1399. Mr. DEMINT proposed an amendment to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra.

SA 1400. Mr. MCCAIN proposed an amendment to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra.

SA 1401. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1402. Mr. FEINGOLD (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra.

SA 1403. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1404. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1375 submitted by Mr. VITTER and intended to be proposed to the amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1405. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1406. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1407. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 1371 submitted by Mr. SESSIONS to the amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1408. Mr. CORNYN (for himself, Mr. VITTER, Mr. CRAPO, Mr. WYDEN, and Mr. ENZI) submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1409. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1410. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2892, supra; which was ordered to lie on the table.

SA 1411. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1371. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, strike lines 8 through 14 and insert the following:

SEC. 545. Section 144 of the Continuing Appropriations Resolution, 2009 (division A of Public Law 110-329; 122 Stat. 3581), as amended by section 101 of division J of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 988), is further amended by striking ''September 30, 2009'' and inserting ''September 30, 2012''.

SEC. 546. Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note) is amended by striking ''Unless'' and all that follows.

SEC. 547. The head of each agency or department of the United States that enters into a contract shall require, as a condition of the contract, that the contractor participate in the pilot program described in 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–209; 8 U.S.C. 1324a note) to verify the employment eligibility of—

(1) all individuals hired during the term of the contract by the contractor to perform employment duties within the United States; and

(2) all individuals assigned by the contractor to perform work within the United States the under such contract.

SEC. 548. (a)(1) Sections 401(c)(1), 403(a), 403(b)(1), 403(c)(1), and 405(b)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note) are amended by striking ''basic pilot program'' each place that term appears and inserting ''E-Verify Program''.

(2) The heading of section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended by striking ''BASIC PILOT'' and inserting ''E-VERIFY''.

(b) Section 404(h)(1) of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (Public Law 104–208; 8 U.S.C. 1324a note) is amended by striking ''under a pilot program'' and inserting ''under this subtitle''.

SA 1372. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, strike lines 8 through 14 and insert the following:

SEC. 545. Section 144 of the Continuing Appropriations Resolution, 2009 (division A of Public Law 110–329; 122 Stat. 3581), as amended by section 101 of division J of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 988), is further amended by striking ''September 30, 2009'' and inserting ''September 30, 2012''.

SEC. 546. Section 143 of the Continuing Appropriations Resolution, 2009 (division A of Public Law 110–329; 122 Stat. 3580), as amended by section 101 of division J of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 988), is amended by striking ''shall'' and all that follows through the end and inserting ''is further amended by striking '11-year' and inserting '17-year'.''.

SA 1373. Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) proposed an amendment to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, $149,268,000: *Provided*, That not to exceed $60,000 shall be for official reception and representation expenses, of which $20,000 shall be made available to the Office of Policy solely to host Visa Waiver Program negotiations in Washington, DC: *Provided further*, That $20,000,000 shall not be available for obligation for the Office of Policy until the Secretary submits an expenditure plan for the Office of Policy for fiscal year 2010.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), $307,690,000, of which not to exceed $3,000 shall be for official reception and representation expenses: *Provided*, That of the total amount, $5,000,000 shall remain available until expended solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and $17,131,000 shall remain available until expended for the Human Resources Information Technology program.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), $63,530,000, of which $11,000,000 shall remain available until expended for financial systems consolidation efforts.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, $338,393,000; of which $86,912,000 shall be available for salaries and expenses; and of which $251,481,000, to remain available until expended, shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security: *Provided*, That of the total amount appropriated, not less than $82,788,000 shall be available for data center development, of which not less than $38,540,145 shall be available for power capabilities upgrades at Data Center One (National Center for Critical Information Processing and Storage): *Provided further*, That the Chief Information Officer shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not more than 60 days after the date of enactment of this Act, an expenditure plan for all information technology acquisition projects that: (1) are funded under this heading; or (2) are funded by multiple components of the Department of Homeland Security through reimbursable agreements: *Provided further*, That key milestones, all funding sources for each project, details of annual and lifecycle costs, and projected cost savings or cost avoidance to be achieved by the project.

ANALYSIS AND OPERATIONS

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $347,845,000, of which not to exceed $5,000 shall be for official reception and representation expenses; and of which $208,145,000 shall remain available until September 30, 2011.

OFFICE OF THE FEDERAL COORDINATOR FOR GULF COAST REBUILDING

For necessary expenses of the Office of the Federal Coordinator for Gulf Coast Rebuilding, $2,000,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $115,874,000, of which not to exceed $150,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, agricultural inspections and regulatory activities related to plant and animal imports, and transportation of unaccompanied minor aliens; purchase and lease of up to 4,500 (4,000 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; $8,075,649,000, of which $3,226,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed $45,000 shall be for official reception and representation expenses; of which not less than $309,629,000 shall be for Air and Marine Operations; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided*, That for fiscal year 2010, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be $35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act may be available to compensate any employee of U.S. Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies: *Provided further*, That of the total amount provided, $1,700,000 shall remain available until September 30, 2011, for the Global Advanced Passenger Information/Passenger Name Record Program.

AUTOMATION MODERNIZATION

For expenses for U.S. Customs and Border Protection automated systems, $462,445,000, to remain available until expended, of which not less than $267,960,000 shall be for the development of the Automated Commercial Environment: *Provided*, That of the total amount made available under this heading, $167,960,000 may not be obligated for the Automated Commercial Environment program until 30 days after the Committees on Appropriations of the Senate and the House of Representatives receive a report on the results to date and plans for the program from the Department of Homeland Security.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For expenses for border security fencing, infrastructure, and technology, $800,000,000, to remain available until expended: *Provided*, That of the amount provided under this heading, $50,000,000 shall not be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive a plan for expenditure, prepared by the Secretary of Homeland Security and submitted not later than 90 days after the date of the enactment of this Act, for a program to establish and maintain a security barrier along the borders of the United States of fencing and vehicle barriers, where practicable, and other forms of tactical infrastructure and technology.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aerial systems, and other related equipment of the air and marine program, including operational training and mission-related travel, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, $515,826,000, to remain available until expended: *Provided*, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to U.S. Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2010 without the prior approval of the Committees on Appropriations of the Senate and the House of Representatives.

CONSTRUCTION AND FACILITIES MANAGEMENT

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, $316,070,000, to remain available until expended, of which $39,700,000 shall be for the Advanced Training Center: *Provided*, That for fiscal year 2011 and thereafter, the annual budget submission of U.S. Customs and Border Protection for ''Construction and Facilities Management'' shall, in consultation with the General Services Administration, include a detailed 5-year plan for all Federal land border port of entry projects with a yearly update of total projected future funding needs.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations; and purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; $5,360,100,000, of which not to exceed $7,500,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed $15,000 shall be for official reception and representation expenses; of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than $305,000 shall be for promotion of public awareness of the child pornography tipline and anti-child exploitation activities; of which not less than $5,400,000 shall be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); and of which not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: *Provided further*, That of the total amount provided, $15,770,000 shall be for activities in fiscal year 2010 to enforce laws against forced child labor, of which not to exceed $6,000,000 shall remain available until expended: *Provided further*, That of the total amount available, not less than $1,000,000,000 shall be available to identify aliens convicted of a crime, and who may be deportable, and to remove them from the United States once they are judged deportable: *Provided further*, That the Secretary, or the designee of the Secretary, shall report to the Committees on Appropriations of the Senate and the House of Representatives, at least quarterly, on progress implementing the preceding proviso, and the funds obligated during that quarter to make that progress: *Provided further*, That funding made available under this heading shall maintain a level of not less than 33,400 detention beds through September 30, 2010: *Provided further*, That of the total amount provided, not less than $2,539,180,000 is for detention and removal operations, including transportation of unaccompanied minor aliens: *Provided further*, That of the total amount provided, $6,800,000 shall remain available until September 30, 2011, for the Visa Security Program: *Provided further*, That nothing under this heading shall prevent U.S. Immigation and Customs Enforcement from exercising those authorities provided under immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) during priority operations pertaining to aliens convicted of a crime.

AUTOMATION MODERNIZATION

For expenses of immigration and customs enforcement automated systems, $85,000,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $10,000,000 shall not be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive an expenditure plan prepared by the Secretary of Homeland Security.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $5,237,828,000, to remain available until September 30, 2011, of which not to exceed $10,000 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, not to exceed $4,395,195,000 shall be for screening operations, of which $1,154,775,000 shall be available for explosives detection systems; and not to exceed $842,633,000 shall be for aviation security direction and enforcement: *Provided further*, That of the amount made available in the preceding proviso for explosives detection systems, $806,669,000 shall be available for the purchase and installation of these systems, of which not less than 28 percent shall be available for the purchase and installation of certified explosives detection systems at medium- and small-sized airports: *Provided further*, That any award to deploy explosives detection systems shall be based on risk, the airports current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: *Provided further*, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: *Provided further*, That any funds collected and made available from aviation security fees pursuant to section 44940(i) of title 49, United States Code, may, notwithstanding paragraph (4) of such section 44940(i), be expended for the purpose of improving screening at airport screening checkpoints, which may include the purchase and utilization of emerging technology equipment; the refurbishment and replacement of current equipment; the installation of surveillance systems to monitor checkpoint activities; the modification of checkpoint infrastructure to support checkpoint reconfigurations; and the creation of additional checkpoints to screen aviation passengers and airport personnel: *Provided further*, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2010, so as to result in a final fiscal year appropriation from the general fund estimated at not more than $3,137,828,000: *Provided further*, That any security service fees collected in excess of the amount made available under this heading shall become available during fiscal year 2011: *Provided further*, That Members of the United States House of Representatives and United States Senate, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General and Assistant Attorneys General and the United States attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget; shall not be exempt from Federal passenger and baggage screening.

SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing surface transportation security activities, $142,616,000, to remain available until September 30, 2011.

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

For necessary expenses for the development and implementation of screening programs of the Office of Transportation Threat Assessment and Credentialing, $171,999,000, to remain available until September 30, 2011.

TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to providing transportation security support and intelligence pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $999,580,000, to remain available until September 30, 2011: *Provided*, That of the funds appropriated under this heading, $20,000,000 may not be obligated for headquarters administration until the Secretary of Homeland Security submits to the Committees on Appropriations of the Senate and the House of Representatives detailed expenditure plans for air cargo security, and for checkpoint support and explosives detection systems refurbishment, procurement, and installations on an airport-by-airport basis for fiscal year 2010: *Provided further*, That these plans shall be submitted no later than 60 days after the date of enactment of this Act.

FEDERAL AIR MARSHALS

For necessary expenses of the Federal Air Marshals, $860,111,000.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; for purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than $700,000) and for repairs and service-life replacements, not to exceed a total of $26,000,000; minor shore construction projects not exceeding $1,000,000 in total cost at any location; payments pursuant to section 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; $6,838,291,000, of which $581,503,000 shall be for defense-related activities, $241,503,000 of which are designated as being for overseas deployments and other activities pursuant to sections 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010; of which $24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which not to exceed $20,000 shall be for official reception and representation expenses; and of which $3,600,000 shall be available until expended for the cost of repairing, rehabilitating, altering, modifying, and making improvements, including customized tenant improvements, to any replacement or expanded Operations Systems Center facility: *Provided*, That none of the funds made available by this or any other Act shall be available for administrative expenses in connection with shipping commissioners in the United States: *Provided further*, That none of the funds made available by this Act shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from yacht owners and credited to this appropriation: *Provided further*, That the Coast Guard shall comply with the requirements of section 527 of Public Law 108–136 with respect to the Coast Guard Academy: *Provided further*, That of the funds provided under this heading, $30,000,000 is withheld from obligation from Headquarters Directorates until the second quarter acquisition report required by Public Law 108–7 and the fiscal year 2008 joint explanatory statement accompanying Public Law 110–161 is received by the Committees on Appropriations of the Senate and the House of Representatives.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, $13,198,000, to remain available until expended.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the reserve program; personnel and training costs; and equipment and services; $133,632,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law; $1,597,580,000, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which $123,000,000 shall be available until September 30, 2014, to acquire, repair, renovate, or improve vessels, small boats, and related equipment; of which $147,500,000 shall be available until September 30, 2012, for other equipment; of which $27,100,000 shall be available until September 30, 2012, for shore facilities and aids to navigation facilities, including not less than $300,000 for the Coast Guard Academy Pier and not less than $16,800,000 for Coast Guard Station Cleveland Harbor; of which $105,200,000 shall be available for personnel compensation and benefits and related costs; and of which $1,194,780,000 shall be available until September 30, 2014, for the Integrated Deepwater Systems program: *Provided*, That of the funds made available for the Integrated Deepwater Systems program, $305,500,000 is for aircraft and $734,680,000 is for surface ships: *Provided further*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, in conjunction with the President's fiscal year 2011 budget, a review of the Revised Deepwater Implementation Plan that identifies any changes to the plan for the fiscal year; an annual performance comparison of Integrated Deepwater Systems program assets to pre-Deepwater legacy assets; a status report of legacy assets; a detailed explanation of how the costs of legacy assets are being accounted for within the Integrated Deepwater Systems program; and the earned value management system gold card data for each Integrated Deepwater Systems program asset: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives a comprehensive review of the Revised Deepwater Implementation Plan every 5 years, beginning in fiscal year 2011, that includes a complete projection of the acquisition costs and schedule for the duration of the plan through fiscal year 2027: *Provided further*, That the Secretary shall annually submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted under section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each capital budget line item—

(1) the proposed appropriation included in that budget;

(2) the total estimated cost of completion;

(3) projected funding levels for each fiscal year for the next 5 fiscal years or until project completion, whichever is earlier;

(4) an estimated completion date at the projected funding levels; and

(5) changes, if any, in the total estimated cost of completion or estimated completion date from previous future-years capital investment plans submitted to the Committees on Appropriations of the Senate and the House of Representatives:

Provided further, That the Secretary shall ensure that amounts specified in the future-years capital investment plan are consistent to the maximum extent practicable with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget as submitted under section 1105(a) of title 31, United States Code, for that fiscal year: *Provided further*, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified: *Provided further*, That subsections (a) and (b) of section 6402 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) shall apply to fiscal year 2010.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, as authorized by section 6 of the Truman-Hobbs Act (33 U.S.C. 516), $4,000,000, to remain available until expended: *Provided*, That of the amounts made available under this heading, $4,000,000 shall be for the Fort Madison Bridge in Fort Madison, Iowa.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $29,745,000, to remain available until expended, of which $500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,361,245,000, to remain available until expended.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 652 vehicles for police-type use, of which 652 shall be for replacement only, and hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of

and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; $1,482,709,000; of which not to exceed $25,000 shall be for official reception and representation expenses; of which not to exceed $100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which $2,366,000 shall be for forensic and related support of investigations of missing and exploited children; and of which $6,000,000 shall be for a grant for activities related to the investigations of missing and exploited children and shall remain available until expended: *Provided*, That up to $18,000,000 provided for protective travel shall remain available until September 30, 2011: *Provided further*, That up to $1,000,000 for National Special Security Events shall remain available until expended: *Provided further*, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year: *Provided further*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes: *Provided further*, That none of the funds appropriated to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: *Provided further*, That the Director of the United States Secret Service may enter into an agreement to perform such service on a fully reimbursable basis: *Provided further*, That the United States Secret Service shall open an international field office in Tallinn, Estonia to combat electronic crimes with funds made available under this heading in Public Law 110–329: *Provided further*, That $4,040,000 shall not be made available for obligation until enactment into law of authorizing legislation that incorporates the authorities of the United States Secret Service Uniformed Division into the United States Code, including restructuring the United States Secret Service Uniformed Division's pay chart.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of facilities, $3,975,000, to remain available until expended.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

SALARIES AND EXPENSES

For salaries and expenses of the Office of the Under Secretary for the National Protection and Programs Directorate, support for operations, information technology, and the Office of Risk Management and Analysis, $44,577,000: *Provided*, That not to exceed $5,000 shall be for official reception and representation expenses.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $901,416,000, of which $760,755,000 shall remain available until September 30, 2011: *Provided*, That of the total amount provided, $20,000,000 is for necessary expenses of the National Infrastructure Simulation and Analysis Center.

UNITED STATES VISITOR AND IMMIGRANT STATUS INDICATOR TECHNOLOGY

For necessary expenses for the development of the United States Visitor and Immigrant Status Indicator Technology project, as authorized by section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a), $378,194,000, to remain available until expended: *Provided*, That of the total amount made available under this heading, $75,000,000 may not be obligated for the United States Visitor and Immigrant Status Indicator Technology project until the Committees on Appropriations of the Senate and the House of Representatives receive a plan for expenditure prepared by the Secretary of Homeland Security not later than 90 days after the date of enactment of this Act: *Provided further*, That not less than $28,000,000 of unobligated balances of prior year appropriations shall remain available and be obligated solely for implementation of a biometric air exit capability.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally-owned and leased buildings and for the operations of the Federal Protective Service: *Provided*, That the Secretary of Homeland Security and the Director of the Office of Management and Budget shall certify in writing to the Committees on Appropriations of the Senate and the House of Representatives no later than December 31, 2009, that the operations of the Federal Protective Service will be fully funded in fiscal year 2010 through revenues and collection of security fees, and shall adjust the fees to ensure fee collections are sufficient to ensure that the Federal Protective Service maintains not fewer than 1,200 full-time equivalent staff and 900 full-time equivalent Police Officers, Inspectors, Area Commanders, and Special Agents who, while working, are directly engaged on a daily basis protecting and enforcing laws at Federal buildings (referred to as ''in-service field staff'').

OFFICE OF HEALTH AFFAIRS

For necessary expenses of the Office of Health Affairs, $135,000,000, of which $30,411,000 is for salaries and expenses; and of which $104,589,000 is to remain available until September 30, 2011, for biosurveillance, BioWatch, medical readiness planning, chemical response, and other activities: *Provided*, That not to exceed $3,000 shall be for official reception and representation expenses.

FEDERAL EMERGENCY MANAGEMENT AGENCY

MANAGEMENT AND ADMINISTRATION

For necessary expenses for management and administration of the Federal Emergency Management Agency, $859,700,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Cerro Grande Fire Assistance Act of 2000 (division C, title I, 114 Stat. 583), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), and the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 120 Stat. 1394): *Provided*, That not to exceed $3,000 shall be for official reception and representation expenses: *Provided further*, That the President's budget submitted under section 1105(a) of title 31, United States Code, shall be detailed by office for the Federal Emergency Management Agency: *Provided further*, That of the total amount made available under this heading, $32,500,000 shall be for the Urban Search and Rescue Response System, of which not to exceed $1,600,000 may be made available for administrative costs; and $6,995,000 shall be for the Office of National Capital Region Coordination: *Provided further*, That for purposes of planning, coordination, execution, and decision-making related to mass evacuation during a disaster, the Governors of the State of West Virginia and the Commonwealth of Pennsylvania, or their designees, shall be incorporated into efforts to integrate the activities of Federal, State, and local governments in the National Capital Region, as defined in section 882 of Public Law 107–296, the Homeland Security Act of 2002.

STATE AND LOCAL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other activities, $3,067,200,000 shall be allocated as follows:

(1) $950,000,000 shall be for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605): *Provided*, That of the amount provided by this paragraph, $60,000,000 shall be for Operation Stonegarden.

(2) $887,000,000 shall be for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which, notwithstanding subsection (c)(1) of such section, $20,000,000 shall be for grants to organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(3) $35,000,000 shall be for Regional Catastrophic Preparedness Grants.

(4) $40,000,000 shall be for the Metropolitan Medical Response System under section 635 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 723).

(5) $15,000,000 shall be for the Citizen Corps Program.

(6) $356,000,000 shall be for Public Transportation Security Assistance, Railroad Security Assistance, and Over-the-Road Bus Security Assistance under sections 1406, 1513, and 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 6 U.S.C. 1135, 1163, and 1182), of which not less than $25,000,000 shall be for Amtrak security, and not less than $6,000,000 shall be for Over-the-Road Bus Security Assistance.

(7) $350,000,000 shall be for Port Security Grants in accordance with 46 U.S.C. 70107.

(8) $50,000,000 shall be for Buffer Zone Protection Program Grants.

(9) $50,000,000 shall be for Driver's License Security Grants Program, pursuant to section 204(a) of the REAL ID Act of 2005 (division B of Public Law 109–13).

(10) $50,000,000 shall be for the Interoperable Emergency Communications Grant Program under section 1809 of the Homeland Security Act of 2002 (6 U.S.C. 579).

(11) $20,000,000 shall be for grants for Emergency Operations Centers under section 614 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196c), of which no less than $1,500,000 shall be for the Ohio Emergency Management Agency Emergency Operations Center, Columbus, Ohio; no less than $1,000,000 shall be for the City of Chicago Emergency Operations Center, Chicago, Illinois; no less than $600,000 shall be for the Ames Emergency Operations Center, Ames, Iowa; no less than $353,000 shall be for the County of Union Emergency Operations Center, Union County, New Jersey; no less than $300,000 shall be for the City of Hackensack Emergency Operations Center, Hackensack, New Jersey; no less than $247,000 shall be for the Township of South Orange Village Emergency Operations Center, South Orange, New Jersey; no less than $1,000,000 shall be for the City of Mount Vernon Emergency Operations Center, Mount Vernon, New York; no less than $900,000 shall be for the City of Whitefish Emergency Operations Center, Whitefish, Montana; no less than $1,000,000 shall be for the Lincoln County Emergency Operations Center, Lincoln County, Washington; no less than $980,000 shall be for the City of Providence Emergency Operations Center, Providence, Rhode Island; no less than $980,000 for the North Louisiana Regional Emergency Operations Center, Lincoln Parish, Louisiana; and no less than $900,000 for the City of North Little Rock Emergency Operations Center, North Little Rock, Arkansas.

(12) $264,200,000 shall be for training, exercises, technical assistance, and other programs, of which—

(A) $164,500,000 is for purposes of training in accordance with section 1204 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1102), of which $62,500,000 shall be for the Center for Domestic Preparedness; $23,000,000 shall be for the National Energetic Materials Research and Testing Center, New Mexico Institute of Mining and Technology; $23,000,000 shall be for the National Center for Biomedical Research and Training, Louisiana State University; $23,000,000 shall be for the National Emergency Response and Rescue Training Center, Texas A&M University; $23,000,000 shall be for the National Exercise, Test, and Training Center, Nevada Test Site; $5,000,000 shall be for the Transportation Technology Center, Incorporated, in Pueblo, Colorado; and $5,000,000 shall be for the Natural Disaster Preparedness Training Center, University of Hawaii, Honolulu, Hawaii; and

(B) $1,700,000 shall be for the Center for Counterterrorism and Cyber Crime, Norwich University, Northfield, Vermont:

Provided, That 4.1 percent of the amounts provided under this heading shall be transferred to the Federal Emergency Management Agency ''Management and Administration'' account for program administration, and an expenditure plan for program administration shall be provided to the Committees on Appropriations of the Senate and the House of Representatives within 60 days of the date of enactment of this Act: *Provided further*, That, notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)), or any other provision of law, a grantee may use not more than 5 percent of the amount of a grant made available under this heading for expenses directly related to administration of the grant: *Provided further*, That for grants under paragraphs (1) through (5), the applications for grants shall be made available to eligible applicants not later than 25 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 90 days after the grant announcement, and that the Administrator of the Federal Emergency Management Agency shall act within 90 days after receipt of an application: *Provided further*, That for grants under paragraphs (6) through (10), the applications for grants shall be made available to eligible applicants not later than 30 days after the date of enactment of this Act, that eligible applicants shall submit applications within 45 days after the grant announcement, and that the Federal Emergency Management Agency shall act not later than 60 days after receipt of an application: *Provided further*, That for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility: *Provided further*, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary: *Provided further*, That (a) the Center for Domestic Preparedness may provide training to emergency response providers from the Federal Government, foreign governments, or private entities, if the Center for Domestic Preparedness is reimbursed for the cost of such training, and any reimbursement under this subsection shall be credited to the account from which the expenditure being reimbursed was made and shall be available, without fiscal year limitation, for the purposes for which amounts in the account may be expended, (b) the head of the Center for Domestic Preparedness shall ensure that any training provided under (a) does not interfere with the primary mission of the Center to train State and local emergency response providers.

FIREFIGHTER ASSISTANCE GRANTS

For necessary expenses for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $800,000,000, of which $380,000,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and $420,000,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a), to remain available until September 30, 2010: *Provided*, That 5 percent of the amount available under this heading shall be for program administration, and an expenditure plan for program administration shall be provided to the Committees on Appropriations of the Senate and the House of Representatives within 60 days of the date of enactment of this Act.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For necessary expenses for emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), $350,000,000: *Provided*, That total administrative costs shall be 3 percent of the total amount appropriated under this heading.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2010, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2010, and remain available until expended.

UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), $45,588,000.

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $1,456,866,000, to remain available until expended: *Provided*, That the Federal Emergency Management Agency shall submit an expenditure plan to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds for disaster readiness and support within 60 days after the date of enactment of this Act: *Provided further*, That the Federal Emergency Management Agency shall provide a quarterly report detailing obligations against the expenditure plan and a justification for any changes in spending: *Provided further*, That of the total amount provided, $16,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters, subject to section 503 of this Act: *Provided further*, That up to $50,000,000 may be transferred to Federal Emergency Management Agency ''Management and Administration'' for management and administration functions: *Provided further*, That the amount provided in the previous proviso shall not be available for transfer to ''Management and Administration'' until the Federal Emergency Management Agency submits an implementation plan to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That the Federal Emergency Management Agency shall submit the monthly ''Disaster Relief'' report, as specified in Public Law 110–161, to the Committees on Appropriations of the Senate and the House of Representatives, and include the amounts provided to each Federal agency for mission assignments: *Provided further*, That for any request for reimbursement from a Federal agency to the Department of Homeland Security to cover expenditures under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), or any mission assignment orders issued by the Department for such purposes, the Secretary of Homeland Security shall take appropriate steps to ensure that each agency is periodically reminded of Department policies on—

(1) the detailed information required in supporting documentation for reimbursements; and

(2) the necessity for timeliness of agency billings.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For activities under section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162), $295,000 is for the cost of direct loans: *Provided*, That gross obligations for the principal amount of direct loans shall not exceed $25,000,000: *Provided further*, That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a).

FLOOD MAP MODERNIZATION FUND

For necessary expenses under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), $220,000,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to remain available until expended: *Provided*, That total administrative costs shall not exceed 3 percent of the total amount appropriated under this heading.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), and the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), $159,469,000, which shall be derived from offsetting collections assessed and collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)), which is available as follows: (1) not to exceed $52,149,000 for salaries and expenses associated with flood mitigation and flood insurance operations; and (2) no less than $107,320,000 for flood plain management and flood mapping, which shall remain available until September 30, 2011: *Provided*, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping: *Provided further*, That in fiscal year 2010, no funds shall be available from the National Flood Insurance Fund under section 1310 of that Act (42 U.S.C. 4017) in excess of: (1) $85,000,000 for operating expenses; (2) $969,370,000 for commissions and taxes of agents; (3) such sums as are necessary for interest on Treasury borrowings; and (4) $120,000,000, which shall remain available until expended for flood mitigation actions, of which $70,000,000 is for severe repetitive loss properties under section 1361A of the National Flood Insurance Act of 1968 (42 U.S.C. 4102a), of which $10,000,000 is for repetitive insurance claims properties under section 1323 of the National Flood Insurance Act of 1968 (42 U.S.C. 4030), and of which $40,000,000 is for flood mitigation assistance under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) notwithstanding subparagraphs (B) and (C) of subsection (b)(3) and subsection (f) of section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) and notwithstanding subsection (a)(7) of section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017): *Provided further*, That amounts collected under section 102 of the Flood Disaster Protection Act of 1973 and section 1366(i) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding 42 U.S.C. 4012a(f)(8), 4104c(i), and 4104d(b)(2)–(3): *Provided further*, That total administrative costs shall not exceed 4 percent of the total appropriation.

NATIONAL PREDISASTER MITIGATION FUND

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), $120,000,000, to remain available until expended: *Provided*, That the total administrative costs associated with such grants shall not exceed 3 percent of the total amount made available under this heading.

EMERGENCY FOOD AND SHELTER

To carry out the emergency food and shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), $175,000,000, to remain available until expended: *Provided*, That total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading.

TITLE IV

RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, $135,700,000, of which $5,000,000 is for the processing of military naturalization applications and $118,500,000 is for the E-Verify program to assist United States employers with maintaining a legal workforce: *Provided*, That of the amount provided for the E-Verify program, $10,000,000 is available until expended for E-Verify process and system enhancements: *Provided further*, That notwithstanding any other provision of law, funds available to United States Citizenship and Immigration Services may be used to acquire, operate, equip, dispose of and replace up to five vehicles, of which two are for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: *Provided further*, That the Director of United States Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles between the employees' residences and places of employment.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; $244,356,000, of which up to $47,751,000 shall remain available until September 30, 2011, for materials and support costs of Federal law enforcement basic training; of which $300,000 shall remain available until expended for Federal law enforcement agencies participating in training accreditation, to be distributed as determined by the Federal Law Enforcement Training Center for the needs of participating agencies; and of which not to exceed $12,000 shall be for official reception and representation expenses: *Provided*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That section 1202(a) of Public Law 107–206 (42 U.S.C. 3771 note), as amended by Public Law 110–329 (122 Stat. 3677), is further amended by striking ''December 31, 2011'' and inserting ''December 31, 2012'': *Provided further*, That the Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors: *Provided further*, That the Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, $43,456,000, to remain available until expended: *Provided*, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $143,200,000: *Provided*, That not to exceed $10,000 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects; development; test and evaluation; acquisition; and operations; as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.); $851,729,000, to remain available until September 30, 2011: *Provided*, That not less than $20,865,000 shall be available for the Southeast Region Research Initiative at the Oak Ridge National Laboratory: *Provided further*, That not less than $3,000,000 shall be available for Distributed Environment for Critical Infrastructure Decisionmaking Exercises: *Provided further*, That not less than $12,000,000 is for construction expenses of the Pacific Northwest National Laboratory: *Provided further*, That not less than $2,000,000 shall be for the Cincinnati Urban Area partnership established through the Regional Technology Integration Initiative: *Provided further*, That not less than $36,312,000 shall be for the National Bio and Agro-defense Facility.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.) for management and administration of programs and activities, $37,500,000: *Provided*, That not to exceed $3,000 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, $326,537,000, to remain available until September 30, 2011.

SYSTEMS ACQUISITION

For expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, $10,000,000, to remain available until September 30, 2011: *Provided*, That none of the funds appropriated under this heading in this Act or any other Act shall be obligated for full-scale procurement of Advanced Spectroscopic Portal monitors until the Secretary of Homeland Security submits to the Committees on Appropriations of the Senate and the House of Representatives a report

certifying that a significant increase in operational effectiveness will be achieved: *Provided further*, That the Secretary shall submit separate and distinct certifications prior to the procurement of Advanced Spectroscopic Portal monitors for primary and secondary deployment that address the unique requirements for operational effectiveness of each type of deployment: *Provided further*, That the Secretary shall continue to consult with the National Academy of Sciences before making such certifications: *Provided further*, That none of the funds appropriated under this heading shall be used for high-risk concurrent development and production of mutually dependent software and hardware.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2010, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program, project, or activity; (2) eliminates a program, project, office, or activity; (3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or (5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2010 Budget Appendix for the Department of Homeland Security, as modified by the explanatory statement accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2010, or provided from any accounts in the Treasury of the United States derived by the collection of fees or proceeds available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $5,000,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by the Congress; or (3) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: *Provided*, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

SEC. 504. The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103–356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2010: *Provided*, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2010 budget: *Provided further*, That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: *Provided further*, That all departmental components shall be charged only for direct usage of each Working Capital Fund service: *Provided further*, That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: *Provided further*, That such fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: *Provided further*, That the Working Capital Fund shall be subject to the requirements of section 503 of this Act.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2010 from appropriations for salaries and expenses for fiscal year 2010 in this Act shall remain available through September 30, 2011, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2010 until the enactment of an Act authorizing intelligence activities for fiscal year 2010.

SEC. 507. None of the funds made available by this Act may be used to make a grant allocation, discretionary grant award, discretionary contract award, Other Transaction Agreement, or to issue a letter of intent totaling in excess of $1,000,000, or to announce publicly the intention to make such an award, including a contract covered by the Federal Acquisition Regulation, unless the Secretary of Homeland Security notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making such an award or issuing such a letter: *Provided*, That if the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification and the Committees on Appropriations of the Senate and the House of Representatives shall be notified not later than 5 full business days after such an award is made or letter issued: *Provided further*, That no notification shall involve funds that are not available for obligation: *Provided further*, That the notification shall include the amount of the award, the fiscal year in which the funds for the award were appropriated, and the account from which the funds are being drawn: *Provided further*, That the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under the State Homeland Security Grant Program; Urban Area Security Initiative; and the Regional Catastrophic Preparedness Grant Program.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. Sections 519, 520, 528, and 531 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110–161; 121 Stat. 2073, 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

SEC. 511. None of the funds in this Act may be used in contravention of the applicable provisions of the Buy American Act (41 U.S.C. 10a et seq.).

SEC. 512. None of the funds provided by this or previous appropriations Acts may be obligated for deployment or implementation of the Secure Flight program or any other follow-on or successor passenger screening program that: (1) utilizes or tests algorithms assigning risk to passengers whose names are not on Government watch lists; or (2) uses data or a database that is obtained from or remains under the control of a non-Federal entity: *Provided*, That this restriction shall not apply to Passenger Name Record data obtained from air carriers.

SEC. 513. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 514. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term

basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as of that date as Immigration Information Officers, Contact Representatives, or Investigative Assistants.

SEC. 515. (a) The Assistant Secretary of Homeland Security (Transportation Security Administration) shall work with air carriers and airports to ensure that the screening of cargo carried on passenger aircraft, as defined in section 44901(g)(5) of title 49, United States Code, increases incrementally each quarter until the requirement of section 44901(g)(2)(B) of title 49 are met.

(b) Not later than 45 days after the end of each quarter, the Assistant Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report on air cargo inspection statistics by airport and air carrier detailing the incremental progress being made to meet the requirement of section 44901(g)(2)(B) of title 49, United States Code.

SEC. 516. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration ''Aviation Security'', ''Administration'' and ''Transportation Security Support'' for fiscal years 2004, 2005, 2006, 2007, and 2008 that are recovered or deobligated shall be available only for the procurement or installation of explosives detection systems, for air cargo, baggage, and checkpoint screening systems, subject to notification: *Provided*, That quarterly reports shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives on any funds that are recovered or deobligated.

SEC. 517. Any funds appropriated to United States Coast Guard, ''Acquisition, Construction, and Improvements'' for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110–123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Replacement Patrol Boat (FRC-B) program.

SEC. 518. (a)(1) Except as provided in paragraph (2), none of the funds provided in this or any other Act shall be available to commence or continue operations of the National Applications Office until—

(A) the Secretary certifies that: (i) National Applications Office programs comply with all existing laws, including all applicable privacy and civil liberties standards; and, (ii) that clear definitions of all proposed domains are established and are auditable;

(B) the Comptroller General of the United States notifies the Committees on Appropriations of the Senate and the House of Representatives and the Secretary that the Comptroller has reviewed such certification; and

(C) the Secretary notifies the Committees of all funds to be expended on the National Applications Office pursuant to section 503 of this Act.

(2) Paragraph (1) shall not apply with respect to any use of funds for activities substantially similar to such activities conducted by the Department of the Interior as set forth in the 1975 charter for the Civil Applications Committee under the provisions of law codified at section 31 of title 43, United States Code.

(b) The Inspector General shall provide to the Committees on Appropriations of the Senate and the House of Representatives a classified report on a quarterly basis containing a review of the data collected by the National Applications Office, including a description of the collection purposes and the legal authority under which the collection activities were authorized: *Provided*, That the report shall also include a listing of all data collection activities carried out on behalf of the National Applications Office by any component of the National Guard.

(c) None of the funds provided in this or any other Act shall be available to commence operations of the National Immigration Information Sharing Operation until the Secretary certifies that such program complies with all existing laws, including all applicable privacy and civil liberties standards, the Comptroller General of the United States notifies the Committees on Appropriations of the Senate and the House of Representatives and the Secretary that the Comptroller has reviewed such certification, and the Secretary notifies the Committees on Appropriations of the Senate and the House of Representatives of all funds to be expended on the National Immigration Information Sharing Operation pursuant to section 503.

SEC. 519. Within 45 days after the close of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report that includes total obligations, on-board versus funded full-time equivalent staffing levels, and the number of contract employees by office.

SEC. 520. Section 532(a) of Public Law 109–295 (120 Stat. 1384) is amended by striking ''2009'' and inserting ''2010''.

SEC. 521. The functions of the Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 522. (a) None of the funds provided by this or any other Act may be obligated for the development, testing, deployment, or operation of any portion of a human resources management system authorized by 5 U.S.C. 9701(a), or by regulations prescribed pursuant to such section, for an employee as defined in 5 U.S.C. 7103(a)(2).

(b) The Secretary of Homeland Security shall collaborate with employee representatives in the manner prescribed in 5 U.S.C. 9701(e), in the planning, testing, and development of any portion of a human resources management system that is developed, tested, or deployed for persons excluded from the definition of employee as that term is defined in 5 U.S.C. 7103(a)(2).

SEC. 523. None of the funds made available in this or any other Act may be used to enforce section 4025(1) of Public Law 108–458 unless the Assistant Secretary of Homeland Security (Transportation Security Administration) reverses the determination of July 19, 2007, that butane lighters are not a significant threat to civil aviation security.

SEC. 524. Funds made available in this Act may be used to alter operations within the Civil Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction centers, maintenance and logistics commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any Civil Engineering Unit unless specifically authorized by a statute enacted after the date of the enactment of this Act.

SEC. 525. (a) Except as provided in subsection (b), none of the funds appropriated in this or any other Act to the Office of the Secretary and Executive Management, the Office of the Under Secretary for Management, or the Office of the Chief Financial Officer, may be obligated for a grant or contract funded under such headings by a means other than full and open competition.

(b) Subsection (a) does not apply to obligation of funds for a contract awarded—

(1) by a means that is required by a Federal statute, including obligation for a purchase made under a mandated preferential program, such as the AbilityOne Program, that is authorized under the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.);

(2) under the Small Business Act (15 U.S.C. 631 et seq.);

(3) in an amount less than the simplified acquisition threshold described under section 302A(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a)); or

(4) by another Federal agency using funds provided through an interagency agreement.

(c)(1) Subject to paragraph (2), the Secretary of Homeland Security may waive the application of this section for the award of a contract in the interest of national security or if failure to do so would pose a substantial risk to human health or welfare.

(2) Not later than 5 days after the date on which the Secretary of Homeland Security issues a waiver under this subsection, the Secretary shall submit notification of that waiver to the Committees on Appropriations of the Senate and the House of Representatives, including a description of the applicable contract and an explanation of why the waiver authority was used. The Secretary may not delegate the authority to grant such a waiver.

(d) In addition to the requirements established by this section, the Inspector General for the Department of Homeland Security shall review departmental contracts awarded through other than full and open competition to assess departmental compliance with applicable laws and regulations: *Provided*, That the Inspector General shall review selected contracts awarded in the previous fiscal year through other than full and open competition: *Provided further*, That in determining which contracts to review, the Inspector General shall consider the cost and complexity of the goods and services to be provided under the contract, the criticality of the contract to fulfilling Department missions, past performance problems on similar contracts or by the selected vendor, complaints received about the award process or contractor performance, and such other factors as the Inspector General deems relevant: *Provided further*, That the Inspector General shall report the results of the reviews to the Committees on Appropriations of the Senate and the House of Representatives no later than February 5, 2010.

SEC. 526. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by United States Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 527. None of the funds made available in this Act may be used to destroy or put out to pasture any horse or other equine belonging to the Federal Government that has become unfit for service, unless the trainer or handler is first given the option to take possession of the equine through an adoption program that has safeguards against slaughter and inhumane treatment.

SEC. 528. None of the funds provided in this Act shall be available to carry out section 872 of Public Law 107–296.

SEC. 529. None of the funds provided in this Act under the heading ''Office of the Chief Information Officer'' shall be used for data center development other than for Data Center One (National Center for Critical Information Processing and Storage) until the Chief Information Officer certifies that Data Center One (National Center for Critical Information Processing and Storage) is fully

utilized as the Department's primary data storage center at the highest capacity throughout the fiscal year.

SEC. 530. None of the funds in this Act shall be used to reduce the United States Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 531. None of the funds appropriated by this Act may be used to conduct, or to implement the results of, a competition under Office of Management and Budget Circular A–76 for activities performed with respect to the Coast Guard National Vessel Documentation Center.

SEC. 532. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

SEC. 533. None of the funds made available to the Office of the Secretary and Executive Management under this Act may be expended for any new hires by the Department of Homeland Security that are not verified through the basic pilot program under section 401 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 534. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided*, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: *Provided further*, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 535. None of the funds made available in this Act may be used by the Secretary of Homeland Security or any delegate of the Secretary to issue any rule or regulation which implements the Notice of Proposed Rulemaking related to Petitions for Aliens To Perform Temporary Nonagricultural Services or Labor (H–2B) set out beginning on 70 Fed. Reg. 3984 (January 27, 2005).

SEC. 536. Section 537 of the Department of Homeland Security Appropriations Act, 2009 (division D of Public Law 110–329; 122 Stat. 3682) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

SEC. 537. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 538. (a) Notwithstanding any other provision of this Act, except as provided in subsection (b), and 30 days after the date that the President determines whether to declare a major disaster because of an event and any appeal is completed, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, the Committee on Transportation and Infrastructure of the House of Representatives, the Committees on Appropriations of the Senate and the House of Representatives, and publish on the website of the Federal Emergency Management Agency, a report regarding that decision, which shall summarize damage assessment information used to determine whether to declare a major disaster.

(b) The Administrator may redact from a report under subsection (a) any data that the Administrator determines would compromise national security.

(c) In this section—

(1) the term ''Administrator'' means the Administrator of the Federal Emergency Management Agency; and

(2) the term ''major disaster'' has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 539. Notwithstanding any other provision of law, should the Secretary of Homeland Security determine that the National Bio and Agro-defense Facility be located at a site other than Plum Island, New York, the Secretary shall have the Administrator of General Services sell through public sale all real and related personal property and transportation assets which support Plum Island operations, subject to such terms and conditions as necessary to protect government interests and meet program requirements: *Provided*, That the gross proceeds of such sale shall be deposited as offsetting collections into the Department of Homeland Security Science and Technology ''Research, Development, Acquisition, and Operations'' account and, subject to appropriation, shall be available until expended, for site acquisition, construction, and costs related to the construction of the National Bio and Agro-defense Facility, including the costs associated with the sale, including due diligence requirements, necessary environmental remediation at Plum Island, and reimbursement of expenses incurred by the General Services Administration which shall not exceed 1 percent of the sale price or $5,000,000, whichever is greater: *Provided further*, That after the completion of construction and environmental remediation, the unexpended balances of funds appropriated for costs in the preceding proviso shall be available for transfer to the appropriate account for design and construction of a consolidated Department of Homeland Security Headquarters project, excluding daily operations and maintenance costs, notwithstanding section 503 of this Act, and the Committees on Appropriations of the Senate and the House of Representatives shall be notified 15 days prior to such transfer.

SEC. 540. Any official that is required by this Act to report or certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 541. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under 31 U.S.C. 9703.2(g)(4)(B) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security.

SEC. 542. (a) Not later than 3 months from the date of enactment of this Act, the Secretary of Homeland Security shall consult with the Secretaries of Defense and Transportation and develop a concept of operations for unmanned aerial systems in the United States national airspace system for the purposes of border and maritime security operations.

(b) The Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days after the date of enactment of this Act on any foreseeable challenges to complying with subsection (a).

SEC. 543. If the Assistant Secretary of Homeland Security (Transportation Security Administration) determines that an airport does not need to participate in the basic pilot program, the Assistant Secretary shall certify to the Committees on Appropriations of the Senate and the House of Representatives that no security risks will result by such non-participation.

SEC. 544. For fiscal year 2010 and thereafter, the Secretary may provide to personnel appointed or assigned to serve abroad, allowances and benefits similar to those provided under chapter 9 of title I of the Foreign Service Act of 1990 (22 U.S.C. 4081 et seq.).

SEC. 545. Sections 143 and 144 of division A of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–329; 122 Stat. 3580 et seq.), as amended by section 101 of division J of Public Law 111–8, are further amended by striking ''September 30, 2009'' and inserting ''September 30, 2012''.

SEC. 546. Notwithstanding any other provision of law, should the Secretary of Homeland Security determine that specific U.S. Immigration and Customs Enforcement Service Processing Centers, or other U.S. Immigration and Customs Enforcement owned detention facilities, no longer meet the mission need, the Secretary is authorized to dispose of individual Service Processing Centers, or other U.S. Immigration and Customs Enforcement owned detention facilities, by directing the Administrator of General Services to sell all real and related personal property which support Service Processing Centers, or other U.S. Immigration and Customs Enforcement owned detention facilities, operations, subject to such terms and conditions as necessary to protect government interests and meet program requirements: *Provided*, That the proceeds, net of the costs of sale incurred by the General Services Administration and U.S. Immigration and Customs Enforcement shall be deposited as offsetting collections into a separate account that shall be available, subject to appropriation, until expended for other real property capital asset needs of existing U.S. Immigration and Customs Enforcement assets, excluding daily operations and maintenance costs, as the Secretary deems appropriate.

SEC. 547. Section 550 of Public Law 109–295 is amended in subsection (b) by deleting from the last proviso ''three years after the date of enactment of this Act'' and inserting in lieu thereof ''October 4, 2010''.

SEC. 548. For fiscal year 2010 and thereafter, the Secretary of Homeland Security may collect fees from any non-Federal participant in a conference, seminar, exhibition, symposium, or similar meeting conducted by the Department of Homeland Security in advance of the conference, either directly or by contract, and those fees shall be credited to the appropriation or account from which the costs of the conference, seminar, exhibition, symposium, or similar meeting are paid and shall be available to pay the costs of the Department of Homeland Security with respect to the conference or to reimburse the Department for costs incurred with respect to the conference: *Provided*, That in the event the total amount of fees collected with respect to a conference exceeds the actual costs of the Department of Homeland Security with respect to the conference, the amount of such excess shall be deposited into the Treasury as miscellaneous receipts: *Provided further*, That the Secretary shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives not later than January 5, 2011, providing the level of collections and a

summary by agency of the purposes and levels of expenditures for the prior fiscal year, and shall report annually thereafter.

SEC. 549. For purposes of section 210C of the Homeland Security Act of 2002 (6 U.S.C. 124j) a rural area shall also include any area that is located in a metropolitan statistical area and a county, borough, parish, or area under the jurisdiction of an Indian tribe with a population of not more than 50,000.

SEC. 550. From the unobligated balances of prior year appropriations made available for ''Analysis and Operations'', $5,000,000 are rescinded.

SEC. 551. From the unobligated balances of prior year appropriations made available for U.S. Immigration and Customs Enforcement ''Construction'', $7,000,000 are rescinded.

SEC. 552. From the unobligated balances of prior year appropriations made available for National Protection and Programs Directorate ''Infrastructure Protection and Information Security'', $8,000,000 are rescinded.

SEC. 553. From the unobligated balances of prior year appropriations made available for Science and Technology ''Research, Development, Acquisition, and Operations'', $7,500,000 are rescinded.

SEC. 554. From the unobligated balances of prior year appropriations made available for Domestic Nuclear Detection Office ''Research, Development, and Operations'', $8,000,000 are rescinded.

SEC. 555. (a) Subject to subsection (b), none of the funds appropriated or otherwise made available by this Act may be available to operate the Loran-C signal after January 4, 2010.

(b) The limitation in subsection (a) shall take effect only if the Commandant of the Coast Guard certifies that—

(1) the termination of the operation of the Loran-C signal as of the date specified in subsection (a) will not adversely impact the safety of maritime navigation; and

(2) the Loran-C system infrastructure is not needed as a backup to the Global Positioning System or any other Federal navigation requirement.

(c) If the Commandant makes the certification described in subsection (b), the Coast Guard shall, commencing January 4, 2010, terminate the operation of the Loran-C signal and commence a phased decommissioning of the Loran-C system infrastructure.

(d) Not later than 30 days after such certification pursuant to subsection (b), the Commandant shall submit to the Committees on Appropriations of the Senate and House of Representatives a report setting forth a proposed schedule for the phased decommissioning of the Loran-C system infrastructure in the event of the decommissioning of such infrastructure in accordance to subsection (c).

(e) If the Commandant makes the certification described in subsection (b), the Secretary of Homeland Security, acting through the Commandant of the Coast Guard, may, notwithstanding any other provision of law, sell any real and personal property under the administrative control of the Coast Guard and used for the Loran system, by directing the Administrator of General Services to sell such real and personal property, subject to such terms and conditions that the Secretary believes to be necessary to protect government interests and program requirements of the Coast Guard: *Provided*, That the proceeds, less the costs of sale incurred by the General Services Administration, shall be deposited as offsetting collections into the Coast Guard ''Environmental Compliance and Restoration'' account and, subject to appropriation, shall be available until expended for environmental compliance and restoration purposes associated with the Loran system, for the demolition of improvements on such real property, and for the costs associated with the sale of such real and personal property, including due diligence requirements, necessary environmental remediation, and reimbursement of expenses incurred by the General Services Administration: *Provided further*, That after the completion of such activities, the unexpended balances shall be available for any other environmental compliance and restoration activities of the Coast Guard.

This Act may be cited as the ''Department of Homeland Security Appropriations Act, 2010''.

SA 1374. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 77, between lines 16 and 17, insert the following:

SEC. 556. None of the funds made available in this Act may be used in contravention of section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623).

SA 1375. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 77, between lines 16 and 17, insert the following:

SEC. 556. None of the amounts made available under this Act may be used to—

(1) amend, rewrite, or change the final rule requiring Federal Contractors to use E-Verify (promulgated on November 14, 2008);

(2) further delay the implementation of the rule described in paragraph (1) beyond September 8, 2009; or

(3) amend, rewrite, change, or delay the implementation of the final rule describing the process for employers to follow after receiving a ''no match'' letter in order to qualify for ''safe harbor'' status (promulgated on August 15, 2007).

SA 1376. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 34, line 6, strike ''$23,000,000'' and all that follows through ''Hawaii;'' on line 21.

SA 1377. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, beginning on line 5, strike '': *Provided*,'' and all that follows through ''Iowa'' on line 7.

SA 1378. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, lines 15 and 16, strike '', of which $39,700,000 shall be for the Advanced Training Center''.

SA 1379. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 19, beginning on line 10, strike ''not less than $300,000 for the Coast Guard Academy Pier and''.

SA 1380. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 19, beginning on line 11, strike ''and not less than $16,800,000 for Coast Guard Station Cleveland Harbor''.

SA 1381. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, beginning on line 10, strike ''; and of which $3,600,000'' and all that follows through ''facility'' on line 15.

SA 1382. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 22, strike ''no less'' and all that follows through ''Illinois;'' on line 24.

SA 1383. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security

for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 10, strike ''no less'' and all that follows through ''Montana;'' on line 12.

SA 1384. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 8, strike ''no less'' and all that follows through ''New York;'' on line 10.

SA 1385. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 24, strike ''no less'' and all that follows through ''Iowa;'' on page 33, line 1.

SA 1386. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 19, strike ''no less'' and all that follows through ''Ohio;'' on line 22.

SA 1387. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 34, line 21, strike ''; and'' and all that follows through ''Vermont'' on line 24.

SA 1388. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, lines 19 and 20, strike ''; and no less'' and all that follows through ''Arkansas'' on line 22.

SA 1389. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 17, strike ''no less'' and all that follows through ''Louisiana;'' on line 19.

SA 1390. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 15, strike ''no less'' and all that follows through ''Rhode Island;'' on line 17.

SA 1391. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, lines 12 and 13, strike ''no less'' and all that follows through ''Washington;'' on line 15.

SA 1392. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 5, strike ''no less'' and all that follows through ''New Jersey;'' on line 8.

SA 1393. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 1, strike ''no less'' and all that follows through ''New Jersey;'' on line 3.

SA 1394. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 3, strike ''no less'' and all that follows through ''New Jersey;'' on line 5.

SA 1395. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, line 23, strike ''That'' and all that follows through ''*Provided further,*'' on page 48, line 1.

SA 1396. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, lines 5 and 6, strike ''*Provided further,*'' and all that follows through ''Initiative:'' on line 8.

SA 1397. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, line 1, strike ''*Provided further,*'' and all that follows through ''Exercises:'' on line 3.

SA 1398. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 77, between lines 16 and 17, insert the following:

SEC. 556. NATIONAL INFRASTRUCTURE SIMULATION AND ANALYSIS CENTER.

The amount appropriated for the National Infrastructure Simulation and Analysis Center under the heading ''INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY'' under the heading ''NATIONAL PROTECTION AND PROGRAMS DIRECTORATE'' under title III of this Act is reduced by $4,000,000.

SA 1399. Mr. DEMINT proposed an amendment to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. BORDER FENCE COMPLETION.

(a) MINIMUM REQUIREMENTS.—Section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended—

(1) in subparagraph (A), by adding at the end the following: ''Fencing that does not effectively restrain pedestrian traffic (such as vehicle barriers and virtual fencing) may not

be used to meet the 700-mile fence requirement under this subparagraph.'';

(2) in subparagraph (B)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) not later than December 31, 2010, complete the construction of all the reinforced fencing and the installation of the related equipment described in subparagraph (A).''; and

(3) in subparagraph (C), by adding at the end the following:

''(iii) FUNDING NOT CONTINGENT ON CONSULTATION.—Amounts appropriated to carry out this paragraph may not be impounded or otherwise withheld for failure to fully comply with the consultation requirement under clause (i).''.

(b) REPORT.—Not later than September 30, 2009, the Secretary of Homeland Security shall submit a report to Congress that describes—

(1) the progress made in completing the reinforced fencing required under section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by this Act; and

(2) the plans for completing such fencing before December 31, 2010.

SA 1400. Mr. MCCAIN proposed an amendment to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 31, line 19, strike all through page 32, line 3, and insert the following:

(6) $350,000,000 shall be for Public Transportation Security Assistance and Railroad Security Assistance under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53; 6 U.S.C. 1135 and 1163), of which not less than $25,000,000 shall be for Amtrak security.

SA 1401. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SECTION ____. MARITIME TRANSPORTATION SECURITY INFORMATION.

(a) SHORT TITLE.—This section may be cited as the ''American Communities'' Right to Public Information Act''.

(b) IN GENERAL.—Section 70103(d) of title 46, United States Code, is amended to read as follows:

''(d) NONDISCLOSURE OF INFORMATION.—

''(1) IN GENERAL.—Information developed under this chapter is not required to be disclosed to the public, including—

''(A) facility security plans, vessel security plans, and port vulnerability assessments; and

''(B) other information related to security plans, procedures, or programs for vessels or facilities authorized under this chapter.

''(2) LIMITATIONS.—Nothing in paragraph (1) shall be construed to authorize the designation of information as sensitive security information (as defined in section 1520.5 of title 49, Code of Federal Regulations)—

''(A) to conceal a violation of law, inefficiency, or administrative error;

''(B) to prevent embarrassment to a person, organization, or agency;

''(C) to restrain competition; or

''(D) to prevent or delay the release of information that does not require protection in the interest of transportation security, including basic scientific research information not clearly related to transportation security.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 114(r) of title 49, United States Code, is amended by adding at the end thereof the following:

''(4) LIMITATIONS.—Nothing in this subsection, or any other provision of law, shall be construed to authorize the designation of information as sensitive security information (as defined in section 1520.5 of title 49, Code of Federal Regulations)

''(A) to conceal a violation of law, inefficiency, or administrative error;

''(B) to prevent embarrassment to a person, organization, or agency;

''(C) to restrain competition; or

''(D) to prevent or delay the release of information that does not require protection in the interest of transportation security, including basic scientific research information not clearly related to transportation security.''.

(2) Section 40119(b) of title 49, United States Code, is amended by adding at the end thereof the following:

''(3) Nothing in paragraph (1) shall be construed to authorize the designation of information as sensitive security information (as defined in section 15.5 of title 49, Code of Federal Regulations)—

''(A) to conceal a violation of law, inefficiency, or administrative error;

''(B) to prevent embarrassment to a person, organization, or agency;

''(C) to restrain competition; or

''(D) to prevent or delay the release of information that does not require protection in the interest of transportation security, including basic scientific research information not clearly related to transportation security.''.

SA 1402. Mr. FEINGOLD (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, strike line 19 and all that follows through page 33, line 22, and insert the following:

Assistance Act (42 U.S.C. 5196c), which shall be awarded on a competitive basis: *Provided,* That the Administrator of the Federal Emergency Management Agency shall award financial assistance using amounts made available under the heading ''NATIONAL PREDISASTER MITIGATION FUND'' under the heading ''FEDERAL EMERGENCY MANAGEMENT AGENCY'' under this title—

(A) in accordance with section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133); and

(B) without regard to any congressionally directed spending item (as defined in rule XLIV of the Standing Rules of the Senate) or any congressional earmark (as defined in rule XXI of the Rules of the House of Representatives) in a committee report or joint explanatory statement relating to this Act.

SA 1403. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, lines 15 and 16, strike '', of which $39,700,000 shall be for the Advanced Training Center''.

On page 17, line 10, strike ''; and of'' and all that follows through ''facility'' on line 15.

On page 19, lines 9 and 10, strike '', including not less than'' and all that follows through ''Harbor'' on line 11.

On page 22, line 5, strike '': *Provided,*'' and all that follows through ''Iowa'' on line 7.

On page 31, line 19, strike ''$356,000,000'' and insert ''$350,000,000''.

On page 32, line 1, strike '', and not'' and all that follows through ''Security Assistance'' on line 3.

On page 32, strike line 16 and all that follows through page 33, line 22.

On page 33, line 25, strike ''which—'' and all that follows through page 34, line 24, and insert ''which, $164,500,000 is for purposes of training in accordance with section 1204 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1102), of which $62,500,000 shall be for the Center for Domestic Preparedness:''.

On page 47, line 23, strike ''That'' and all that follows through ''*Provided further,*'' on page 48, line 3.

On page 48, lines 5 and 6, strike ''*Provided further,*'' and all that follows through ''Initiative:'' on line 8.

On page 75, strike line 15 and all that follows through page 77, line 16, and insert the following:

SEC. 555. NATIONAL INFRASTRUCTURE SIMULATION AND ANALYSIS CENTER.

The amount appropriated for the National Infrastructure Simulation and Analysis Center under the heading ''INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY'' under the heading ''NATIONAL PROTECTION AND PROGRAMS DIRECTORATE'' under title III of this Act is reduced by $4,000,000.

SA 1404. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1375 submitted by Mr. VITTER and intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, lines 15 and 16, strike '', of which $39,700,000 shall be for the Advanced Training Center''.

On page 17, line 10, strike ''; and of'' and all that follows through ''facility'' on line 15.

On page 19, lines 9 and 10, strike '', including not less than'' and all that follows through ''Harbor'' on line 12.

On page 22, line 5, strike '': *Provided,*'' and all that follows through ''Iowa'' on line 7.

On page 32, line 19, strike '', of which no less'' and all that follows through ''Arkansas'' on page 33, line 22.

On page 33, line 25, strike ''which—'' and all that follows through page 34, line 24, and insert ''which, $164,500,000 is for purposes of training in accordance with section 1204 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1102), of which $62,500,000 shall be for the Center for Domestic Preparedness:''.

On page 47, line 23, strike ''That'' and all that follows through ''*Provided further*,'' on page 48, line 3.

On page 48, lines 5 and 6, strike ''*Provided further*,'' and all that follows through ''Initiative:'' on line 8.

On page 77, between lines 16 and 17, insert the following:

SEC. 556. NATIONAL INFRASTRUCTURE SIMULATION AND ANALYSIS CENTER.

The amount appropriated for the National Infrastructure Simulation and Analysis Center under the heading ''INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY'' under the heading ''NATIONAL PROTECTION AND PROGRAMS DIRECTORATE'' under title III of this Act is reduced by $4,000,000.

SA 1405. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 16, strike all through page 33, line 22.

SA 1406. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 75, line 15, strike all through page 77, line 16.

SA 1407. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 1371 submitted by Mr. SESSIONS to the amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, after line 7, add the following:

SEC. 549. Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(1) by striking ''pilot'' each place it appears; and

(2) in subsection (b), by striking ''for 15 years''.

SA 1408. Mr. CORNYN (for himself, Mr. VITTER, Mr. CRAPO, Mr. WYDEN, and Mr. ENZI submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 77, between lines 16 and 17, insert the following:

SEC. 556___. IMPORTATION OF CERTAIN POCKET KNIVES.

(a) IN GENERAL.—No department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act may obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to amend, interpret, enforce or promulgate any administrative rule or action which regulates, restricts, or bars from importation any knife under the Act entitled ''An Act to prohibit the introduction, or manufacture for introduction, into interstate commerce of switchblade knives, and for other purposes'' (commonly known as the Federal Switchblade Act) (15 U.S.C. §1241 et seq.), if the knife contains a spring, detent, or other mechanism designed to create a bias toward closure of the blade and that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure to assist in opening the knife.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act—

(1) the Secretary of Homeland Security shall submit to the appropriate congressional committees a report that describes the actions taken to ensure the effective implementation of this section; and

(2) shall publish the report in the Federal Register.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect upon enactment of this Act.

SA 1409. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REQUIRED PARTICIPATION BY UNITED STATES CONTRACTORS.

Section 402(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 8 U.S.C. 1324a note) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) UNITED STATES CONTRACTORS.—Any person, employer, or other entity that enters into a contract with the Federal Government shall participate in the E-Verify Program and shall comply with the terms and conditions of such election.''.

SA 1410. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REVERIFICATION.

Section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 8 U.S.C. 1324a note) is amended by adding at the end the following:

''(5) REVERIFICATION.—Each employer participating in the E-Verify Program shall use the confirmation system to reverify the work authorization of any individual not later than 3 days after the date on which such individual's employment authorization is scheduled to expire, as indicated by the documents that the individual provided to the employer pursuant to section 274A(b) of the Immigration and Nationality Act (8 U.S.C. 1324a(b)), in accordance with the procedures otherwise applicable to the verification of a newly hired employee under this subsection.''.

SA 1411. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. REID (for Mr. BYRD (for himself, Mr. INOUYE, and Mrs. MURRAY)) to the bill H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC.__. None of the funds in this Act provided for Railroad Security Assistance under section 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53) shall require a cost share.

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 Committee on Energy and Natural Resources Subcommittee on National Parks.

The hearing will be held on Wednesday, July 15, 2009, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 227, to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes;

S. 625, to authorize the Secretary of the Interior to establish the Waco Mammoth National Monument in the State of Texas;

S. 853, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System;

S. 1053, to amend the National Law Enforcement Museum Act to extend the termination date;

S. 1117, to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont;

S. 1168 and H.R. 1694, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program; and

H.R. 714, to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes.

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 should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to *anna_fox@energy.senate.gov*.

For further information, please contact David Brooks at (202) 224–9863 or Anna Fox at (202) 224–1219.

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 Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, July 21, 2008, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the preparedness of Federal land management agencies for the 2009 wildfire season and to receive testimony on S. 561 and H.R. 1404, the Federal Land Assistance, Management and Enhancement Act.

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 should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to *anna_fox@energy.senate.gov*.

For further information, please contact Anna Fox at (202) 224–1219 or Scott Miller at 202–2245488.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 10 a.m. in room 328A of the Russell Senate Office Building.

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

COMMITTEE ON ARMED FORCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. 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 Tuesday, July 7, 2009, at 9:30 a.m.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, July 7, 2009.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 10 a.m. in room 406 of the Dirksen Senate Office Building to hold a hearing entitled, ''Moving America toward a Clean Energy Economy and Reducing Global Warming Pollution: Legislative Tools.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 10 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 2:15 p.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 3 p.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. 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 Tuesday, July 7, 2009, at 10 a.m., in room 325 of the Russell Senate Office Building.

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

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, be authorized to meet during the session of the Senate, on July 7, 2009, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Bowl Championship Series: Is it Fair and In Compliance with Antitrust Law?''

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 2:30 p.m., to conduct a hearing entitled, ''From Strategy to Implementation: Strengthening U.S.-Pakistan Relations.''

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

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, July 7, 2009, at 9:30 a.m., in room 253 of the Russell Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. DURBIN. I ask unanimous consent that Arex Avanni, a detailee from the Coast Guard to the Homeland Security Subcommittee, be granted the privilege of the floor during debate on the pending legislation, the fiscal year 2010 Department of Homeland Security Appropriations bill.

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

Mr. VOINOVICH. I ask unanimous consent that Carol Cribbs on the Appropriations Committee staff be granted the privilege of the floor during the consideration of the fiscal year 2010 Homeland Security Appropriations bill and any votes in relation thereto.

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

Mr. CARDIN. Mr. President, I ask unanimous consent that Tara Magner, a consultant on the staff of Senator LEAHY's Judiciary Committee staff, be granted the privileges of the floor for the remainder of this work period, until August 8, 2009.

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

RECOGNIZING THE NATIONAL EYE INSTITUTE AND SUPPORTING THE DECADE OF VISION

Mr. BROWN. Mr. President, I ask unanimous consent the Senate now proceed to the immediate consideration of S. Res. 209, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 209) recognizing the 40th anniversary of the National Eye Institute and expressing support of the designation of the years 2011 through 2020 as the ''Decade of Vision.''

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

Mr. BROWN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table.

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

The resolution (S. Res. 209) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 209

Whereas vision impairment and eye disease are major public health problems, especially due to the aging of the population;

Whereas there is a disproportionate incidence of eye disease in minority populations;

Whereas vision loss as a result of diabetes and other chronic diseases costs the people of the United States $68,000,000,000 each year in health care expenses, lost productivity, reduced independence, diminished quality of life, increased depression, and accelerated mortality;

Whereas approximately 38,000,000 people in the United States over 40 years of age currently experience blindness, low-vision, or an age-related eye disease, and this number is expected to grow to 50,000,000 by 2020, as the tidal wave of approximately 78,000,000 baby boomers who will begin to reach 65 years of age in 2010, many of whom will continue working well beyond age 65, crashes;

Whereas, in public opinion polls conducted during the past 40 years, people in the United States have consistently identified fear of vision loss as second only to fear of cancer, and, as recently as 2008, a study by the National Eye Institute showed that 71 percent of respondents indicated that a loss of eyesight would have the greatest impact on their life;

Whereas, with wisdom and foresight, Congress passed an Act entitled ''An Act to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health'' (Public Law 90–489; 82 Stat. 771), which was signed into law by President Johnson on August 16, 1968;

Whereas the National Eye Institute (in this resolution referred to as the ''NEI'') held the first meeting of the National Advisory Eye Council on April 3, 1969;

Whereas the NEI leads the Federal commitment to basic and clinical research, research training, and other programs with respect to blinding eye diseases, visual disorders, mechanisms of visual function, preservation of sight, and the special health problems and needs of individuals who are visually-impaired or blind;

Whereas the NEI disseminates information aimed at the prevention of blindness, specifically through public and professional education facilitated by the National Eye Health Education Program;

Whereas the NEI maximizes Federal funding by devoting 85 percent of its budget to extramural research that addresses a wide variety of eye and vision disorders, including ''back of the eye'' retinal and optic nerve disease, such as age-related macular degeneration, glaucoma, and diabetic retinopathy, and concomitant low vision, and ''front of the eye'' disease, including corneal, lens, cataract, and refractive errors;

Whereas research by the NEI benefits children, including premature infants born with retinopathy and school children with amblyopia (commonly known as ''lazy eye'');

Whereas the NEI benefits older people in the United States by predicting, preventing, and preempting aging eye disease, thereby enabling more productive lives and reducing Medicare costs;

Whereas the NEI has been a leader in basic research, working with the Human Genome Project of the National Institutes of Health to translate discoveries of genes related to eye disease and vision impairment, which make up ¼ of genes discovered to date, into diagnostic and treatment modalities;

Whereas the NEI has been a leader in clinical research, funding more than 60 clinical trials (including a series of Diabetic Retinopathy Clinical Trials Networks, in association with the National Institute for Diabetes and Digestive and Kidney Disorders) which have developed treatment strategies that have been determined by the NEI to be 90 percent effective and to save an estimated $1,600,000,000 each year in blindness and vision impairment disability costs;

Whereas the NEI has been a leader in prevention research, having reported from the first phase of its Age-Related Eye Disease Study that high levels of dietary zinc and anti-oxidant vitamins reduced vision loss in individuals at high risk for developing advanced age-related macular degeneration by 25 percent, and, in the second phase of Age-Related Eye Disease Study, studying the impact of other nutritional supplements;

Whereas the NEI has been a leader in epidemiologic research, identifying the basis and progression of eye disease and the disproportionate incidence of eye disease in minority populations, so that informed public health policy decisions can be made regarding prevention, early diagnosis, and treatment;

Whereas the NEI has been a leader in collaborative research across the National Institutes of Health, working with the National Cancer Institute and the National Heart, Lung, and Blood Institute to identify factors that promote or inhibit new blood vessel growth, which has resulted in the first generation of ophthalmic drugs approved by the Food and Drug Administration to inhibit abnormal blood vessel growth in the form of age-related macular degeneration commonly known as the ''wet'' form of age-related macular degeneration, thereby stabilizing, and often restoring, vision;

Whereas the NEI has been a leader in collaborative research with other Federal entities, and its bioengineering research partnership with the National Science Foundation and the Department of Energy has resulted in a retinal chip implant, referred to as the ''Bionic Eye'', that has enabled individuals who have been blind for decades to perceive visual images;

Whereas the NEI has been a leader in collaborative research with private funding entities, and its human gene therapy trial with the Foundation Fighting Blindness for individuals with Leber Congenital Amaurosis, a rapid retinal degeneration that blinds infants in their first year of life, has demonstrated measurable vision improvement even within the initial safety trials;

Whereas, from 2011 through 2020, the people of the United States will face unprecedented public health challenges associated with aging, health disparities, and chronic disease; and

Whereas Federal support by the NEI and related agencies within the Department of Health and Human Services is essential for prevention, early detection, access to treatment and rehabilitation, and research associated with vision impairment and eye disease: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 40th anniversary of the NEI, commends the NEI for its leadership, and supports the mission of the NEI to prevent blindness and to save and restore vision;

(2) supports the designation of the years 2011 through 2020 as the ''Decade of Vision'', to—

(A) maintain a sustained awareness of the unprecedented public health challenges associated with vision impairment and eye disease; and

(B) emphasize the need for Federal support for prevention, early detection, access to treatment and rehabilitation, and research; and

(3) commends the National Alliance for Eye and Vision Research, also known as the ''Friends of the National Eye Institute'', for its efforts to expand awareness of the incidence and economic burden of eye disease through its Decade of Vision 2011–2020 Initiative.

ORDERS FOR WEDNESDAY, JULY 8, 2009

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, July 8; 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 there be a period of morning business for 1 hour with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half, with Senators permitted to speak for up to 10 minutes each; further, following morning business, the Senate resume consideration of H.R. 2892, the Homeland Security appropriations bill.

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

PROGRAM

Mr. BROWN. Mr. President, tomorrow we will resume consideration of the Homeland Security appropriations bill. Under the previous order, there will be two votes tomorrow morning around 10:40 a.m. in relation to two amendments: Sessions No. 1371 and DeMint No. 1399. As we continue working on the Homeland Security appropriations bill, additional votes are possible throughout the day.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN. If there is no further business to come before the Senate, I ask unanimous consent the Senate adjourn under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Wednesday, July 8, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF TRANSPORTATION

SUSAN L. KURLAND, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE ANDREW B. STEINBERG.

DEPARTMENT OF STATE

MATTHEW WINTHROP BARZUN, OF KENTUCKY, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SWEDEN.

WILLIAM CARLTON EACHO, III, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AUSTRIA.

FAY HARTOG-LEVIN, OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

PATRICIA NEWTON MOLLER, OF ARKANSAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA.

MICHAEL H. POSNER, OF NEW YORK, TO BE ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR, VICE DAVID J. KRAMER, RESIGNED.

STEPHEN J. RAPP, OF IOWA, TO BE AMBASSADOR AT LARGE FOR WAR CRIMES ISSUES, VICE JOHN CLINT WILLIAMSON, RESIGNED.

DEPARTMENT OF EDUCATION

ALEXA E. POSNY, OF KANSAS, TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION, VICE TRACY RALPH JUSTESEN.

DEPARTMENT OF HOMELAND SECURITY

ALEXANDER G. GARZA, OF MISSOURI, TO BE ASSISTANT SECRETARY FOR HEALTH AFFAIRS AND CHIEF MEDICAL OFFICER, DEPARTMENT OF HOMELAND SECURITY, VICE JEFFREY WILLIAM RUNGE.

DEPARTMENT OF DEFENSE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DEPUTY JUDGE ADVOCATE GENERAL, UNITED STATES ARMY AND FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE SERVING AS DEPUTY JUDGE ADVOCATE GENERAL, UNITED STATES ARMY TO THE GRADE INDICATED IN ACCORDANCE WITH TITLE 10, U.S.C., SECTIONS 3037, 3064, AND 624:

To be major general

BRIG. GEN. CLYDE J. TATE II

EXTENSIONS OF REMARKS

EARMARK DECLARATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. WITTMAN. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding an earmark I received as part of H.R. 3082, the Military Construction and Veterans Affairs Appropriations Act, 2010.

Project Name: Electromagnetic Research and Engineering Facility

Amount: $3,660,000

Requested By: ROBERT J. WITTMAN (VA–01)

Account: Military Construction (MCN)

Intended Recipient of Funds: Naval Activity South Potomac, Dahlgren, Virginia. Dahlgren, VA 22448

Project description and explanation of the request: This project will provide an addition to the Electromagnetic Research and Engineering Facility (EMREF). This addition is required to facilitate the Directed Energy Technology Office at Naval Surface Warfare Center, Dahlgren Division (NSWCDD) to meet its mission in Directed Energy research, development of prototypes and engineering development model systems and in fielding these prototypes to the warfighter. This project will provide laboratories and analysis spaces for wideband RF, High Powered Microwave, Pulsed Power and high energy laser systems engineering and development. This project provides necessary access to a maritime boundary layer environment and therefore is sited along the Potomac River Test Range. This project will house 25–30 engineers and scientists some of whom will be new hires. This project was developed because it represents the lost scope of another military construction project, P295, that was approved in Fiscal Year 2006. Due to high bids, only about 75% of the original facility could be built. This project provides the remaining 25% (6,500 SF). Funding will be used for electrical facilities ($120,000), mechanical facilities ($110,000), paving and site improvements ($30,000), site preparations ($110,000), demolition of previous buildings ($230,000), anti-terrorism/force protection measures ($180,000), information systems ($60,000), built-in equipment ($60,000), and technical operating manuals ($40,000). I certify that neither I nor my spouse has any financial interest in this project.

EARMARK DECLARATION

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. CASTLE. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding funding for Delaware included as part of FY 2010 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, H.R. 2997:

Name of Project: Avian Bioscience, DE

Requesting Member: Congressman MICHAEL N. CASTLE

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture—SRG

Legal Name of Requesting Entity: University of Delaware

Address of Requesting Entity: University of Delaware, Hullihen Hall, Newark, DE 19716

Description of Request: $94,000 to be used to upgrade Delaware's existing diagnostic facility. Delmarva is the nation's leader in the research, development, and implementation of successful avian influenza (AI) surveillance and response plans to protect poultry and human health. The University of Delaware, through its College of Agriculture and Natural Resources, is central to Delmarva's preparedness for AI.

Name of Project: Agriculture Compliance Laboratory Equipment, Delaware

Requesting Member: Congressman MICHAEL N. CASTLE

Bill Number: H.R. 2997

Account: Animal and Plant Health Inspection Service—Salaries and Expenses

Legal Name of Requesting Entity: State of Delaware

Address of Requesting Entity: Delaware Department of Agriculture, Tatnall Building, William Penn Street, Dover, DE 19901

Description of Request: $69,000 to fully equip and modernize the Poultry and Animal Health Lab for the state of Delaware in order to protect Delaware's animal industries (including food animals and poultry, horse-racing industry, and companion animals) and therefore public health of all Delawareans.

EARMARK DECLARATION

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mrs. MCMORRIS RODGERS. 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. 2997, FY2010 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997

Account: Salaries and Expenses

Legal Name of Requesting Entity: Washington Grain Alliance (on behalf of the USDA Agricultural Research Service)

Address of Requesting Entity: USDA Agriculture Research Service; Jamie L. Whitten Building; 1400 Independence Avenue, SW; Washington, DC; 20250

Description of Request: Provide an addition of $290,000 for salaries and expenses for a coordinated research effort to identify and introduce new germplasm, genes, and varieties of wheat, barley, and oats with improved and sustainable rust resistance. This research will help combat stem, leaf, and stripe rust that threaten the entire U.S. production of wheat, barley, and oats.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997

Account: RE/FA

Legal Name of Requesting Entity: Washington State University

Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA 99164

Description of Request: Provide $268,000 for the study of PM10 Particulate Emission Prediction and Control. By researching wheat farming and air quality issues, farmers can develop practices that allow for the control of wind erosion and dust emissions without suffering economic hardship. This research project addresses national and regional agricultural needs and helps maintain a robust and healthy agriculture industry.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997

Account: SRG

Legal Name of Requesting Entity: Washington State University

Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA 99164

Description of Request: Provide $235,000 for the Cool Season Food and Legume research program to improve the efficiency and sustainability of the U.S. dry pea, fresh pea, lentil, and chickpea industries. The program is a cooperative effort between federal and state university scientists to establish and maintain a robust and healthy agricultural industry and address national and regional agricultural research needs as they relate to the development of genetically-superior legume varieties.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997

Account: SRG

Legal Name of Requesting Entity: Washington State University

Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA 99164

Description of Request: Provide $313,000 to address the needs of the grass seed industry by utilizing the research and technology expertise of scientists from Washington, Idaho, and Oregon, and USDA–ARS with input from industry representatives. By researching the genetic of barley, the U.S. can further the goal of establishing and maintaining a robust and healthy agriculture industry and address national and regional agriculture research needs.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997

Account: SRG

Legal Name of Requesting Entity: Washington State University

Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA 99164

Description of Request: Provide $98,000 for perennial wheat research to develop it into a viable part of the small grains cropping systems, especially in areas where soil erosion potential is high. Perennial wheat offers a viable option for sustainable farming systems and improved environmental stewardship. Soil erosion by wind and water is a direct cause of lower air and water quality; perennial wheat provides constant soil coverage by plant material, resistance to pests and diseases, and a source of straw for new fiber products.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997

Account: SRG

Legal Name of Requesting Entity: Washington State University

Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA 99164

Description of Request: Provide $1,037,000 for the Northwest Tri-State potato breeding and cultivation research project. The knowledge generated by this project has led to a decrease in the use of harmful pesticides and an increase in profits for the potato industry. It has also led to an increased knowledge of potato varieties.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997

Account: SRG

Legal Name of Requesting Entity: Washington State University

Address of Requesting Entity: Crop and Soil Science Department; Johnson Hall, Room 273; Pullman, WA 99164

Description of Request: Provide $471,000 to fund the Regional Barley Mapping Project to develop improved barley varieties using the tools of genomics. Barley is the cornerstone of American agriculture; it provides farmers with the opportunity to increase genetic diversity, use less irrigation water, and be more profitable. It can also lead to rural community sustainability and development by increasing the manufacture and sale of value-added barley products generating business activity.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997

Account: SRG

Legal Name of Requesting Entity: Washington State University

Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA 99164

Description of Request: Provide $444,000 to fund the STEEP IV water quality project. This research will contribute solutions to modern societal problems faced by U.S. farmers and the public, such as energy and food security, sequestration of greenhouse gasses, and improved trade balance. Conservation information obtained through this work is transferable to other parts of the U.S. and the world. Benefits of this research include reduction if food production costs and greater energy independence for the nation's food supply.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 2997

Account: SRG

Legal Name of Requesting Entity: Washington State University

Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA 99164

Description of Request: Provide $223,000 to fund research for Virus-free Wine Grape Cultivation. To maintain competitiveness and health, this project addresses an immediate high-priority need to meet the certification standards of the vineyard industry.

EARMARK DECLARATION

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 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. 2997, the Fiscal Year 2010 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill:

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 SubTropical 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, FY 2009—$6,677,000.

EARMARK DECLARATION

HON. MARY FALLIN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Ms. FALLIN. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2487 Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010 the appropriations.

I, Rep. MARY FALLIN, requested and received $2,000,000 under The Department of Commerce, NOAA—Operations, Research, and Facilities Account for The University of Oklahoma—National Radar Testbed—Phased Array Radar. The entity to receive funding for this project is the University of Oklahoma, 100 E. Boyd Street, Norman, OK 73109. It is my understanding that the funding would be used to support research and development for forecasting advanced warning detection of tornadoes and other forms of severe weather at the National Severe Storms Labs (NSSL) in Norman, OK.

I, Rep. MARY FALLIN, requested and received $350,000 under The Department of Justice, Cops Law Enforcement Account for the Oklahoma Department of Public Safety—Statewide Public Safety Communication System. The entity to receive funding for this project is the Oklahoma Department of Public Safety, 3600 Martin Luther King, Oklahoma City, OK 73136. It is my understanding that the funding would be used to enhance the Oklahoma Highway Patrol, Law Enforcement Technology Division's mobile data program.

I, Rep. MARY FALLIN, requested and received $150,000 under The Department of Commerce, COPS Law Enforcement Technology Account for University of Central Oklahoma Forensic Laboratory Program Enhanced DNA Analysis Training for Law Enforcement. The entity to receive funding for this project is University of Central Oklahoma, 100 N. University Drive, Edmond, OK 73034. It is my understanding that the funding would be used to utilize new laboratory infrastructure and equipment to significantly expand the services available to the Oklahoma State Bureau of Investigation Forensic Institution's training programs and to state and local law enforcement officers.

EARMARK DECLARATION

HON. CHRISTOPHER JOHN LEE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. LEE of New York. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding an earmark I received as part of the Agriculture Appropriations bill.

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 2997

Account: Natural Resources Conservation Service—Watershed/Flood Prevention Operations

Legal Name of Requesting Entity: State University of New York College at Brockport

Address of Requesting Entity: 350 New Campus Drive, Brockport, NY 14420

Description of Request: Provide an earmark of $500,000 for the Genesee River Watershed project. No systematic studies have attempted to identify the causes of the water quality issues that also affect the near-shore of Lake Ontario. Identification will provide a basis for management practices in order to improve water quality.

Of the total amount, $283,000 (or 56.6%) is for salaries for project administrator and field agents; $113,200 (22.64%) is for fringe benefits; $86,500 (17.3%) is for supplies, travel, and equipment; and $17,300 (3.46%) is for indirect costs.

EARMARK DECLARATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Ms. GRANGER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I, KAY GRANGER, submit the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill for fiscal year 2010. For the project titled "Assistance to Improve Water Quality for Tarrant County, Texas," which received $336,000 in H.R. 2997, Natural Resources Conservation Service, Conservation Operations account, the legal name and address of the receiving entity is Texas AgriLife Extension Service, 113 Jack K. Williams Building 2142 TAMU, College Station, TX 77843–2142. This funding supports specialized studies to improve water quality in North Central Texas. The project aims to create a watershed protection plan and improve the water quality in the five reservoirs that supply water for the majority of Fort Worth and fifty-nine surrounding communities. By implementing a watershed protection plan, water quality can be improved in North Central Texas, thereby protecting supply and quality for over 1.6 million residents in the area. Tarrant Regional Water District, Texas Water Resources Institute, and the Texas AgriLife Extension Service support this project through in-kind support including employee salaries and data and sample analysis.

AMERICAN CLEAN ENERGY AND SECURITY ACT OF 2009

SPEECH OF

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 26, 2009

Mr. TONKO. Madam Speaker, today I come to the floor to urge my colleagues to support H.R. 2454, the American Clean Energy Security Act.

As you know, I represent a state that has been a leader in the nation when it comes to renewable energy standards and energy efficiency activity. New York was the first state in the country to adopt a state renewable energy standard and is currently ranked as one of the most energy efficient states per capita in the nation.

I am proud to say H.R. 2454 will allow New York to continue these successful programs and push us even further in a positive direction. Working with, and on behalf of, the New York delegation, I was able to work with Chairman WAXMAN and Chairman MARKEY to include language which allows states like New York to have the flexibility to be in control of their own compliance. This flexibility is vital if New York is to continue its great progress in renewable energy and energy efficiency activities. This bill allows New York State to build upon a strong record of demand reduction. Otherwise, a commitment of several years would be required to set up a new system in our state with its proven results.

In addition to the flexibility language, the bill includes provisions allowing market transformation initiatives to count towards the energy efficiency standard. It also addresses the issue of transportation emissions and transportation planning and makes it consistent with current state policy. Finally, the bill includes an improvement that I recommended concerning efficiency of natural gas turbines. H.R. 2454 creates a $65 million competitive grant program specifically for research and development of more efficient natural gas turbines used for power production. The goal of the program would be to raise the efficiency of these turbines to 65 percent. Currently, the most efficient turbines operate at 60 percent. A one percentage point improvement in efficiency alone, applied to existing turbines, would reduce CO_2 emissions by 4.4 million tons per year and provide fuel savings of more than $1 billion per year.

The innovation and the technology advancement that this bill aims to promote will see benefits for future generations. As we did during the Space Race so many years ago, we must turn towards innovation and leadership on the energy front to lead the world again. This is a global race for clean, green energy that we cannot afford to lose.

Madam. Speaker, with the collective energy of the President and the Congress, this bill will create new and enduring policies which will promote cleaner, more efficient, and more independent sources of energy that will positively influence all of America's energy demands as well as jobs and career paths of the future. I urge my colleagues to join me and vote in favor of HR. 2454. I yield back the balance of my time.

IMMIGRATION RIGHTS—ATTORNEY ACCESS RESTORED

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. RANGEL. Madam Speaker, I rise today to enter into the record an article published in the New York Carib News newspaper on June 23, 2009, titled "Eric Holder Restores Key Immigration Right, Access to Attorney", written by Tony Best. The article applauds Attorney General Eric Holder's swift action in reversing the past Administration's move to deprive individuals facing deportation with the right to an attorney.

As this Administration moves towards immigration reform, it is important that we articulate that we are a nation that was founded on immutable rights, and these rights should not be limited to those who have the great benefit of US citizenship. Everyone who stands before a judge in our country is afforded the right to an attorney and why should an immigrant be excluded from such due process?

It is understood that immigrants are not granted all the same protections that citizenship guarantees, but the integrity of the immigration proceedings are compromised when an individual does not have the ability to assert themselves through the benefit of counsel. Cultural and language barriers already place many immigrants at a disadvantage when standing before a judge and it is important that we offer these individuals the benefit of legal counsel to represent and assert their rights.

I am pleased to hear that the Attorney General will be drafting a new order on this policy to recognize the need to give immigrants the capacity to be fairly judged.

HONORING DR. JAMES D. LOMBARDO

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor Dr. James D. Lombardo, Superintendent of Schools of the Bensalem Township School District.

Dr. Lombardo will be stepping down from his position this summer after two and a half years of dynamic leadership in the district. Prior to this position he was superintendent for the Upper St. Clair School District in Pennsylvania as well as school districts in the state of Vermont. Dr. Lombardo's experience in the public education system also includes positions as a curriculum and staff development director, principal, associate principal, and English teacher.

As an educator, Dr. Lombardo's philosophy centers on the concept of providing learning for the "whole" child, challenging and supporting each student to discover a passion for learning while designing and achieving a personal vision of success. He has guided members of his school district in setting goals and beliefs to achieve this vision of education.

During his time as superintendent, Dr. Lombardo has encouraged staff and parents alike to ensure that no child is "invisible" and that each student is safe, healthy, and engaged. Specifically students in grades 3, 7, and 8 now have an opportunity to learn a second language, students with special needs are spending more of their time in the regular classroom setting, more than 100 kindergarten students now benefit from a full time program, and smaller class sizes in grades K–2 promise improved learning for hundreds of Bensalem children.

Dr. Lombardo has contributed enormously to the education and well-being of children in his community. Madam Speaker, I am proud to recognize Dr. Lombardo for his outstanding efforts, and am extremely honored to serve as his Congressman.

EARMARK DECLARATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Ms. GRANGER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I, KAY GRANGER, submit the following information regarding earmarks I received as part of H.R. 3081, the Department of State, Foreign Operations, and Related Programs Appropriations Act of Fiscal Year 2010 for the language pertaining to ''Sister Cities International Cultural and Economic Development Exchange Programs.'' Any funding granted by the Department of State Educational and Cultural Exchange Programs account would go to Sister Cities International, 1301 Pennsylvania Ave., NW, Suite 850, Washington, DC 2004. It is my understanding that the funding would be used to support Sister Cities International's ongoing initiatives to increase the numbers of international citizen exchange opportunities through its network with Africa and Islamic communities. Once funded, there is a one-to-one match of local private dollars to re-granted federal dollars. The City of Fort Worth, TX, is an active partner in Sister Cities International, leading in U.S. public diplomacy efforts.

BLACK MUSIC MONTH

HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. JOHNSON of Georgia. Madam Speaker, I rise today in strong support of H. Res. 476, celebrating the 30th anniversary of June as ''Black Music Month''. I would like to thank my colleague Representative STEVE COHEN from Tennessee for introducing this important piece of legislation, as well as the co-sponsors.

I stand in support of this resolution because it is continuing to recognize the importance that black music has played in American culture. Many American made genres of music such as jazz, blues, gospel, rock and roll, and the rhythm and blues owe their existence to the contribution of black musicians in the past. Georgians such as Tenor Richard Hayes, born in 1887 to former slaves, was one of the most important African-American tenors performing in classical music during the first part of the 20th century. Hayes was one of the highest paid musicians of his time breaking down color barriers for other black classical performers such as Paul Robeson, Leontyne Price, William Dawson, William Grant Still, and even Duke Ellington. As well as other native Georgia artists like Ray Charles, one of the main creators of ''soul music'', who is well known for his unique version of ''America the Beautiful''. Charles' rendition of ''Georgia on My Mind'' was proclaimed the state song on April 24, 1979.

This resolution aims to continue to stress the importance of recognizing June as Black Music Month as it was formally declared in 1979. Celebrating the phenomenal work of black composers, musicians, producers, writers, and singers during one month of the year is the least that we can do to pay tribute to contributions that they have made in shaping the musical art forms that we enjoy today. Celebrating and observing the 30th anniversary of June as ''Black Music Month'' is something that I encourage all Americans to do. I urge my colleagues to support this resolution.

TRIBUTE TO ANTOINETTE TRIFARI

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. PASCRELL. Madam Speaker, I would like to call to your attention the life of an outstanding individual, Antoinette Trifari. She will mark her 100th birthday with a celebration, joined by family and friends, some of whom are traveling great distances to be part of this happy occasion.

It is only fitting that she be honored in this, the permanent record of the greatest democracy ever known, for she has brought so much joy to the lives of others throughout her lifetime.

Antoinette is a native of the great City of Paterson, NJ. She was born there on July 9, 1909 to Angelina and John Pescatore, and was the fifth of fourteen children. She attended Paterson schools, going first to School 19, then graduating from School 5. Then at age fourteen, she began working, sewing pearls and sequins onto fabric that was used for opera gowns. Antoinette soon went on to work for more than ten years in Paterson's world famous silk and textile mills.

Antoinette was married on June 9, 1935 to Edmund Trifari, also of Paterson, who had attended New Jersey Law School. The wedding was held at St. Anthony's R.C. Church and was officiated by the groom's brother, Reverend Aloysius Trifari, a Salesian priest. Two years later, the Trifaris welcomed twins, Edmund, Jr. and Nancy Angela. The young family soon moved to a new development of Cape Cod homes on the outskirts of Paterson, known as Colonial Village. Antoinette and Edmund lived there together until Edmund passed away on January 2, 2003, after sixty-seven and a half years of marriage. She remained in their home until 2005 when she moved to Connecticut to live with Edmund, Jr. and his wife Claire Elwood. Her daughter Nancy lives in England with her husband George Dowden.

Over the years, Antoinette has been blessed not only with her children, but with seven grandchildren; Conrad, MaryBeth and Michael Roncati, and TerriAnn, Edmund III, John and Brian Trifari. Now, she also has thirteen great-grandchildren; Conrad Maxwell, Dean, Mia, Dylan, Carissa Roncati and Jessica Bates, Abigaile, James, Ryan and Michael Sands, Joshua, Nicholas and Tyler Trifari. She is also the loving aunt of countless nieces, nephews, grandnieces and grandnephews.

She is well known throughout the Paterson area for a business that she began. She made poodles out of commercial yarn; they were so creative and lifelike that the yarn company featured a story about her in their corporate magazine. She also continues crocheting, a lifelong hobby she still enjoys. Antoinette also has a passion for helping people and volunteering. She was a member of St. Mary's R.C. Church in Paterson her entire life until she moved, and is a now a parishioner of Saint Peter Claver R.C. Church in West Hartford. Even into her nineties she was a volunteer at St. Joseph's Home for the Aged in Totowa, NJ. She made many lasting friendships and touched many lives through her involvement with the Little Sisters of the Poor. When she moved in 2006 to Middlewoods Assisted Living Home in Farmington, Connecticut, she immediately became an active participant in many of their programs. She is the assistant to the pianist in the Choral Group, attends Sunday outings visiting historic and cultural points of interest around Connecticut, and is a tutoring mentor for young children. She enjoys playing Scrabble with friends and playing solitaire on the computer, and most of all, sharing her joy of life and her love with all those she encounters.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to celebrating and recognizing individuals like Antoinette Trifari.

Madam Speaker, I ask that you join our colleagues, Antoinette's family and friends, everyone at St. Joseph's Home in Totowa, New Jersey, all those who have been touched by her, and me in recognizing Antoinette Trifari.

UPPER ELK RIVER WILD AND SCENIC STUDY ACT

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. RAHALL. Madam Speaker, at the request of the Pocahontas County Commission of the great State of West Virginia, today I am introducing legislation to provide for a study to determine the feasibility and suitability of including a segment of the Elk River as a component of the Wild and Scenic River System.

The Elk River is one of West Virginia's premier natural resource assets. It is the longest river in West Virginia with its boundaries entirely within the State. The study which would be authorized by this legislation, however, would focus only on that segment of the Elk where it begins at the confluence of two streams—Old Field Fork and Big Spring Fork—at the community of Slatyfork and flows North for approximately five miles to the Pocahontas/Randolph County line. The study would be conducted by the U.S. Forest Service.

The idea of preserving this river in its natural state is not something new. Indeed, I well recall conversations with one of West Virginia's visionary conservationists, former State Senator Robert K. Holliday, on this matter during the late 1980s and early 1990s. In 1989, the Senate of West Virginia passed a resolution calling for the development of the Elk River into a national recreation area by Federal and State governments. And in 1993, I did propose a Wild and Scenic study for a 57.5 mile segment of the river. For one reason or another, the enthusiasm over this endeavor dissipated.

The February 4, 2009, unanimous vote by the Pocahontas County Commission consisting of President Martin V. Saffer, David M. Fleming and Reta J. Griffith to request that a study be conducted on a much smaller segment of the Elk River resurrects this issue and makes it ripe for consideration.

The "Slaty" segment of the Elk River that would be the subject of the study authorized by this bill, named in reference to the community of Slatyfork where the river begins, was described in a January 2009 letter written by local resident Tom Shipley to the Pocahontas County Commission as follows: "History abounds around, near and on the banks of the Elk River. She is, in a literal sense, very much as she was back in the early 1800's . . . one of the last rivers on the East Coast that has three naturally reproducing species of wild trout . . . Brook, Brown and Rainbow. As Big Spring Fork and Old Field merge, they form an impressive gateway to the Upper Elk . . . a gift from God to Pocahontas County."

Indeed, the Slaty segment of the Elk River is a superb fishery, and the West Virginia Division of Natural Resources does a good job in the area. While what is being proposed is a study—not a designation—and while the Wild and Scenic Rivers Act is very clear that nothing in the statute "shall affect the jurisdiction or responsibilities of the State with respect to fish and wildlife," I am including in the legislation being introduced today a reaffirmation that the mere act of studying this segment of the Elk River will not change the status quo with respect to State jurisdiction.

The legislation being introduced today states that nothing in the bill "shall be construed as affecting access for recreational activities otherwise allowed by law or regulation, including hunting, fishing, or trapping." It further states that nothing in the measure "shall be construed as affecting the authority, jurisdiction, or responsibility of the State to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, and trapping."

In my view, most people associated with this segment of the Elk River want to keep it the way it is. As Mr. Shipley wrote, the river is "a gift of God to Pocahontas County" and I would add, to the State of West Virginia and the Nation as a whole.

In his book entitled "Upper River, Elk's Origins and Beyond," Skip Johnson, a long time outdoor columnist and reporter for the Charleston Gazette, concisely summed up the essence of our relationship with rivers. "Rivers like Elk touch us in a spiritual way," he wrote. "Dave Teets, my neighbor, gave a talk on rivers at our 2004 church picnic. He said that rivers are important in the Bible, important to our soul and mind, and important to God. They also provide recreation, transportation, and natural boundaries. Then he made a less profound but equally important point: 'Who hasn't spent at least a part of a day just watching a river roll on?' "

I could not agree more.

CELEBRATING THE LIFE OF ELIZABETH LOUISE ALLEN, AN AMERICAN MEZZO-SOPRANO AND HARLEM SCHOOL OF THE ARTS' PRESIDENT EMERITUS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. RANGEL. Madam Speaker, I rise today in memoriam of my dear friend Elizabeth Louise Allen, who departed this life peacefully on Monday, June 22, 2009. Known to all of us as, Betty Lou Allen, she had been a guiding force at The Harlem School of the Arts since she became Executive Director, and eventually President after Dorothy Maynor, the school's founder, retired in 1979.

Betty Lou was born on March 17, 1927, in Campbell, Ohio, near Youngstown. Her father worked in the steel mills; her mother had a thriving business taking in laundry. Betty grew up in a neighborhood which was mostly made up of Sicilian and Greek families, and where she was introduced to the opera and its music. From the neighbors' windows, she could hear the broadcasts from the Metropolitan Opera house every Saturday from their radios.

Betty lost her mother to lung cancer when she was 12 years old. After many turbulent years, that began with her father, and later in foster homes, where she was treated badly and unfairly, Betty moved into the Youngstown Y.W.C.A. when she was 16 years old. She supported herself cleaning houses, excelled in Latin and German languages in high school, and entered Wilberforce College in Wilberforce, Ohio, on a scholarship (A historically black institution, it is now Wilberforce University).

At Wilberforce, Ms. Allen met Theodor Heimann, a former Berlin Opera tenor who taught German and voice there and encouraged her to sing. Soprano Leontyne Price was also a classmate at Wilberforce. Betty went on to earn a scholarship to what was then the Hartford School of Music in Connecticut.

In the early 1950s, Ms. Allen studied at Tanglewood, where Leonard Bernstein chose her to be the mezzo-soprano soloist in his Symphony No. 1 ("Jeremiah"); she was later a frequent soloist with Mr. Bernstein and the New York Philharmonic. Betty made her New York recital debut at Town Hall in 1958 in a program that included Brahms and Fauré.

Elizabeth "Betty Lou" Allen was part of the first great wave of African-American singers to appear on the world's premier stages in the postwar years. Active from the 1950s to the 1970s, she performed with the New York City Opera; the Metropolitan Opera; and the opera companies of Houston, Boston, San Francisco, and Santa Fe. In 1954 Ms. Allen made her City Opera debut as Queenie in "Show Boat," by Jerome Kern and in 1964, she made her formal Opera debut at the Teatro Colon in Buenos Aires, Argentina, followed by countless appearances worldwide.

Betty Allen sang the role of Begonia in the City Opera production of Hans Werner Henze's comic opera "The Young Lord," conducted by Sarah Caldwell in 1973. In reviewing the production of "The Young Lord," New York Times' Harold C. Schonberg wrote of Ms. Allen's on-stage performance: "When she was onstage everything came to life, and everything around her was dimmed."

Ms. Allen, who also toured as a recitalist, was known for her close association with the American composers Virgil Thomson, Ned Rorem and David Diamond. At her death, she was on the faculty of the Manhattan School of Music, where she had taught since 1969. She was also the president emeritus and a former executive director of the Harlem School of the Arts.

With the Met, Ms. Allen sang the role of Commère in Mr. Thomson's "Four Saints in Three Acts" in 1973; she later participated in the first complete recording of the work. Elsewhere, her roles included Teresa in "La Sonnambula," by Bellini; Jocasta in Stravinsky's "Oedipus Rex"; Monisha in Scott Joplin's "Treemonisha"; and Mistress Quickly in Verdi's "Falstaff."

Betty Allen has brought so much joy to many audiences of all ages and diversity with her beautiful voice. She has long been committed to nurturing young artists across all disciplines and opening doors for so many African American children who would have never had the opportunity exploit their talents.

From 1979 to 1992 she served as Executive Director and President to her beloved Harlem School of the Arts. Upon her retirement she stayed on as President Emeritus. While HSA was born of the commitment and ideals of its founder, it was Betty Allen who strengthened the foundation of the vibrant and inspiring institution that it is today. HSA honored Betty Allen with the inaugural Betty Allen Lifetime Achievement Award at the Art is Life Gala on Monday, March 9, 2008, and graced her presence at this year's benefit.

In addition to her many years as a leader and master teacher with HSA, Ms. Allen has also taught at the North Carolina School of Arts, the Manhattan School of Music, and the Curtis institute of Music in Philadelphia. She also holds Honorary Doctorates from Wittenberg University, Union College, Adelphi University, and Clark University in Massachusetts and the New School in New York City.

Madam Speaker, HSA President and Chief Executive Officer Kakuna Kerina stated: "The impact Betty Allen has made as an artist and arts educator is measured in the tens of thousands of lives she influenced in their youth. She was unique in that the standards she applied to herself were the same as the standards she expected of others, and we are better for it. We extend our condolences to Ms. Allen's family and thank them for sharing her with a vast community of admirers throughout the world."

Elizabeth "Betty Lou" Allen is a national treasure and true American heroine, whose artistic talents expanded the boundaries for so many African American children to achieve to be the best in any genre they choose to explore. May God bless all of us for the life of our American mezzo-soprano, Betty Allen.

EARMARK DECLARATION

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mrs. EMERSON. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information in regards to H.R. 2996, the Fiscal Year 2010 Interior, Environment, and Related Agencies Appropriations Bill.

Project Name: City of East Prairie, Missouri Stormwater and Sewer Infrastructure

Bill Number: H.R. 2996

Account: STAG Water and Wastewater Infrastructure Project

Requesting Entity: City of East Prairie, Missouri

Address of Requesting Entity: 219 N. Washington St., East Prairie, Missouri, 63845–1141

Description of Request: Provide an earmark in the amount of $200,000 to rebuild East Prairie, Missouri's wastewater and storm water infrastructure. The existing 84-year-old water infrastructure is crumbling under the streets due to sinkholes which have plagued the community. The sinkholes are destroying box culverts, which is posing a threat to streets and houses in East Prairie. The money procured will pay for the construction of new stormwater sewers. A minimum of 45% of the total project cost will come directly from the City of East Prairie, Missouri.

EARMARK DECLARATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Ms. GRANGER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I, KAY GRANGER, submit the following information regarding earmarks I received as part of H.R. 3082, Military Construction and Veterans Affairs Appropriations Act for fiscal year 2010. For the project titled ''Replace Joint Base Communications Building,'' which received $6,170,000 in H.R. 3082, in the Navy Reserve Military Construction account, the legal name and address of the receiving entity is NAS JRB Fort Worth, in Fort Worth, TX. Funds will be used to build a new communications building. The existing base communications building is undersized. The location of communications assets must remain in that position since communications lines that run throughout the base run underground into the building's terminal/switch room. This facility, built in 1951, does not lend itself to the demands of current technologies. This has resulted in piecemeal renovations over the years in an attempt to meet growing communications needs. The existing space will not accommodate growth requirements for the terminal/switch room, threatening a loss in communication functionality base-wide.

EARMARK DECLARATION

HON. MARY BONO MACK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mrs. BONO MACK. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2996, the Department of Interior, Environment, and Related Agencies Appropriations Act, 2010:

Requesting Member: MARY BONO MACK

Bill Number: H.R. 2996

Account: Interior, Environment, and Related Agencies Appropriations, 2010

Entity Requesting: Coachella Valley Mountains Conservancy and the Friends of the Desert, 45480 Portola Ave. Palm Desert, CA 92260

Description of Earmark: $500,000 is provided for the protection lands including two properties comprising 871 acres in the Santa Rosa and San Jacinto Mountains National Monument, improving resource management. A 504 acre property is bounded by USFS land on 4 sides. A portion of an 8.1 mile segment of Palm Canyon Creek, found eligible for classification as a Wild and Scenic River in the Forest Land Management Plan, traverses the property, as does the Palm Canyon trail. A 367 acre property is bounded by USFS land on 3 sides. The property also adjoins an existing rural residential area where a paved road provides access to the property. This access and available water and electric service create development potential. Acquisition of the property prevents potential future residential development on it and the attendant wildfire issues and water supply issues in this area of extremely high fire hazard. The property provides habitat for the gray vireo.

Spending Plan: Project Expenditures—

The total cost for the 871 acres is $1,500,000. Because both properties have been pre-acquired, they are available for immediate sale to USFS upon the enactment of the federal budget.

Requesting Member: MARY BONO MACK

Bill Number: H.R. 2996

Account: Interior, Environment, and Related Agencies Appropriations, 2010

Entity Requesting: Coachella Valley Mountains Conservancy and the Friends of the Desert, 45480 Portola Ave., Palm Desert, CA 92260

Description of Earmark: $500,000 is provided in the legislation for protecting local groundwater resources and preventing pollution in the City of Cathedral City. There are thousands of septic tanks that lie east of the Whitewater Channel in the Coachella Valley that have been identified as a significant threat to public potable groundwater resources. This project will permanently remove these known pollution sources (septic tanks) and will sustain and improve local and regional water supply reliability. Cathedral City is confident that this project will proceed with full community support and participation. Long-term attainment and maintenance of state and Federal drinking water quality standards will also be achieved as a result of this endeavor.

Spending Plan: Project Expenditures—

Task: Right-of-Way Acquisition: $0; Construction Costs: $12,700,000.

Design & Construction Management: $2,300,000—Design and Engineering, Environmental Permits, Environmental Clean-up, Construction Administration, Construction Inspection, Materials Testing, Surveying. Total Cost: $15,000,000.

Matching Funds Break-down: City of Cathedral City General Fund—$800,000, Federal Assistance—$1,000,000, Assessment District—$9,000,000, California Proposition 84 Grant—$2,000,000, Cathedral City Redevelopment Agency—$700,000, Coachella Valley Water District—$1,500,000. Total Match: $15,000,000.

EARMARK DECLARATION

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. NUNES. Madam Speaker, I am submitting the following information regarding H.R. 1945, Tule River Tribe Water Development Act. The entity to receive funding authorized under this act is the Bureau of Reclamation. The project will benefit the Tule River Tribe located at 340 N. Reservation Road, Porterville, CA 93257. I certify, to the best of my knowledge, that neither I nor my spouse has any financial interest in this project; the project is not directed to an entity or program that will be named after a sitting Member of Congress; the project is not intended to be used by an entity to secure funds for other entities unless the use of funding is consistent with the specified purpose of the authorizing legislation; and the project meets or exceeds all statutory requirements for matching funds where applicable.

EARMARK DECLARATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. CONAWAY. 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. 2847, Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010. This legislation passed in the House of Representatives on June 18, 2009.

In the Department of Justice, Office of Justice Programs account, an earmark for Emergency Communications Equipment for the City of Midland was included on my behalf. The entity to receive funding for this project is the City of Midland, located at 300 North Lorraine, Midland, Texas 79702.

Funding for this project will be used to upgrade backup equipment for Midland's emergency communications system, which is used by the city's police, firefighters and other first responders. In the past, not all first responder groups in Midland could communicate with each other due to differences in their systems. An advantage of Midland's new, upgraded communications system is interoperability, enabling police and other first responders to communicate directly. The backup equipment must be upgraded so that it will properly take effect should the main system fail during an emergency.

In the Office of Justice Assistance, Edward Byrne Memorial Justice Assistance Grants Program account, an earmark for the Advanced Law Enforcement Rapid Response Training (ALERRT) Program, at the Texas State University, San Marcos, Texas (San Angelo Police Department in partnership with ALERRT) was included on my behalf. The entity to receive funding for this project is the ALERRT Program at Texas State University-San Marcos, located at 601 University Drive, San Marcos, Texas 78666.

ALERRT was established by Texas State University to provide first responders with the tactics they will need to effectively respond to active shooter situations. ALERRT enables officers that have successfully completed a special ''Train-the-Trainer'' course to train fellow officers at their home agencies, providing an efficient and cost-effective manner to increase the number of officers with these life-saving skills. Continued funding for ALERRT in FY10 will enable the program to train more patrol officers, including San Angelo Police Department, help establish the program as a national

training system; further build train-the-trainer capacity; enhance retention of learned skills by former students; provide valuable research and evaluation to improve first responder abilities; and provide investigative training and support for evolving threats. In addition to providing ALERRT to the more than 400 entities requesting it, FY10 funding and beyond will be integral to sustain and build capacity for a nation-wide effort to standardize a level of preparedness among the more than 650,000 peace officers employed by law enforcement agencies across the United States.

EARMARK DECLARATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. SHUSTER. Madam Speaker, consistent with the Republican Leadership's policy on earmarks, I am placing the following:

Requesting Member: Congressman BILL SHUSTER (PA–9)

Bill Number: H.R. 2997—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, FY2010

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES PROJECTS

Project Name: Sustainable Agriculture and Natural Resources, PA

Account: National Institute of Food and Agriculture/SRG

Legal Name of Requesting Entity: Pennsylvania State University

Address of Requesting Entity: 117 Old Main, University Park, PA 16802

Description of Request/Justification of Federal Funding: $133,000 for Sustainable Agriculture and Natural Resources, PA

It is my understanding that funding for this project will support a collaborative research and education program to assist diverse farm operations better adopt more sustainable farming practices. This project will increase field research and demonstration to increase the exposure of farm advisors and farmers to sustainable cropping system practices. Additionally, the project will support research on specific techniques to infuse environmentally and economically sustainable practices into a wide variety of agricultural production systems.

This project is a valuable use of taxpayer funds because increased farmer understanding and adoption of sustainable farming practices is critical to meeting future agricultural and natural resources challenges in both the United States and worldwide. Sustainability in agricultural production is a national theme that resonates broadly with national targets of sustainability and responsible use of natural resources. Increasing production without causing permanent ecological damage benefits farmers, consumers, and the environment. It is also my understanding that approximately 25 percent of funding will be used to salaries, approximately 25 percent for graduate students, approximately 48 percent for other direct costs, and approximately 2 percent for travel.

Project Name: Milk Safety, PA

Account: National Institute of Food and Agriculture/SRG

Legal Name of Requesting Entity: Pennsylvania State University

Address of Requesting Entity: 117 Old Main, University Park, PA 16802

Description of Request/Justification of Federal Funding: $771,000 for Milk Safety, PA

It is my understanding that funding for this project will support research that protects the safety of dairy products for Pennsylvania and the nation. Research will address the continued threat of natural or intentional contamination of the fluid milk supply. The project will focus on continuing to develop more sensitive, accurate, and cost-effective diagnostic tools to identify pathogens and toxins.

Additionally, research will support developing and evaluating alternative preservation techniques that ensure the safety of dairy products while preserving food quality attributes, evaluating the benefits and risks associated with consumer and producer interest in raw milk products, and examining the integrity of the supply chain that moves diary products from the farm gate to the consumer.

This project is a valuable use of taxpayer funds because new technical approaches to solving crucial problems in dairy farming have high impact and are critical given the importance of the dairy production sector and the multiplier effect of dairy-derived income. Current challenges have placed the dairy production sector and related industries at risk. Milk safety funding provides a tool for the federal government to respond quickly to emerging issues within the dairy industry and is necessary to maintain consumer protection and confidence. Improvements can be transferred to producers, processors, distributors, and retailers.

It is also my understanding that approximately 32 percent of funding will be used for salaries, approximately 13 percent for graduate students, approximately 16 percent for wages, approximately 1 percent for travel, approximately 10 percent for equipment, and approximately 28 percent for other direct costs.

Project Name: Improved Dairy Management Practices, PA

Account: National Institute of Food and Agriculture/SRG

Legal Name of Requesting Entity: Pennsylvania State University

Address of Requesting Entity: 117 Old Main, University Park, PA 16802

Description of Request/Justification of Federal Funding: $243,000 for Improved Dairy Management Practices, PA

It is my understanding that funding for this project will provide research to address improved dairy management practices and specifically nutrient and emissions management. The project will be focused on addressing issues associated with dairy production by utilizing technology to improve water quality, lowering the impacts of emissions, and supporting efficient energy use.

This project is a valuable use of taxpayer funds because current challenges have placed the dairy production sector and related industries at risk. Evaluating new management tools for their impact on dairy farm profitability and delivering new tools to the industry based on sound scientific study is vital to the future of U.S. dairy production. New technical approaches to solving crucial problems in dairy farming have high impact and are critical given the importance of the dairy production sector and the multiplier effect of dairy-derived income.

It is also my understanding that approximately 24 percent of funding would be used for salaries, approximately 23 percent for graduate students, approximately 22 percent for wages, approximately 2 percent for travel, and approximately 29 percent for other direct costs.

Project Name: Dairy Farm Productivity, PA

Account: National Institute of Food and Agriculture/SRG

Legal Name of Requesting Entity: Pennsylvania State University

Address of Requesting Entity: 117 Old Main, University Park, PA 16802

Description of Request/Justification of Federal Funding: $349,000 for Dairy Farm Profitability, PA

It is my understanding that funding for this project will provide assistance to improve dairy farm profitability. This project will provide technological solutions to real-world problems that are reducing the profitability of dairy farms in Pennsylvania and across the nation. Technologies will be validated for their economic impact and delivered as part of a broader economic analysis of individual farms.

This project is a valuable use of taxpayer funds because the local dairy farm is part of a complex system which extends from local issues of decisions regarding nutrient management, animal genetics, and operation diversity to global issues of supply and demand for dairy products. New technical approaches to solving crucial problems in dairy farming have high impact and are critical given the importance of the dairy production sector and the multiplier effect of dairy-derived income.

It is also my understanding that approximately 24 percent of funding would be used for salaries, approximately 15 percent for graduate students, approximately 27 percent for wages, approximately 3 percent for travel, and approximately 31 percent for other direct costs.

Project Name: Agricultural Entrepreneurial Alternatives, PA

Account: National Institute of Food and Agriculture/SRG

Legal Name of Requesting Entity: Pennsylvania State University

Address of Requesting Entity: 117 Old Main, University Park, PA 16802

Description of Request/Justification of Federal Funding: $233,000 for Agricultural Entrepreneurial Alternatives, PA

It is my understanding that funding for this project will provide assistance for agricultural entrepreneurship development. This project is important both regionally and nationally because it focuses on education and other support necessary to help farmers make a transition from ''traditional'' types of farming to value-added agricultural enterprises.

This project is a valuable use of taxpayer funds because developing the entrepreneurial skills of agricultural producers assists in providing higher profits on farms, a decline in farm consolidation, and increased opportunities for consumers to obtain products that meet their lifestyles. Growth of entrepreneurial skills strengthens farmers' ability to act on consumer-based opportunities. This strengthens the agricultural industry, local communities, and provides consumers with goods and services they are willing and able to buy. Because of its unique production characteristics and market access, Pennsylvania is an ideal location for this project.

It is also my understanding that approximately 75 percent of funding would be used

for salaries and approximately 25 percent for travel, communications, and program development.

PRIVATE FIRST CLASS PETER CROSS, USA

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Ms. GRANGER. Madam Speaker, I rise today to honor the courage of a brave and dedicated hero of the state of Texas and of our nation.

Private First Class Peter Cross was a soldier in the United States Army and is a true American hero. Peter gave his life in the service of his country on June 26, 2009, due to injuries he sustained from his vehicle overturning on a mountainous road in Afghanistan.

Assigned to 2nd Battalion, 87th Infantry Regiment, 10th Mountain Division, Fort Drum, New York, Private First Class Cross made the ultimate sacrifice for his country in a time of war, an action that speaks volumes far greater than words about his character and patriotism.

A native of Saginaw, Texas, Peter had aspirations of missionary work following his service in the Army. These ambitions, along with his efforts to avoid children herding sheep near Combat Outpost Carwile, Afghanistan, which ultimately resulted in the overturning of his vehicle, led his father Mike Cross to point out, ''His last act in life shows what kind of man he was—selflessly thinking of others.''

Peter had been on active duty in the United States Army for less than one year. He joined the Army in August of 2008 and was deployed to Afghanistan in February of 2009. Peter quickly developed a sincere passion for the people of Afghanistan that he was there to help. His father specifically noted, ''He really had a heart for the Afghani people. He used to hand out candy, and pens and papers, and anything else he could spare for the kids when they came around the guys. He was a fun guy. A godly guy.''

Our thoughts and prayers are with Private First Class Cross' parents, siblings, grandparents, and all of his family and friends. His community and nation honor his memory, and we are grateful for his faithful and distinguished service to America.

Private First Class Cross will not be forgotten. His memory lives on through his family and the legacy of selfless service that he so bravely imprinted on our hearts.

RECOGNIZING MAJOR GENERAL JEFFERY W. HAMMOND

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. CARTER. Madam Speaker, I would like to recognize Major General Jeffery W. Hammond, Commanding General, 4ID along with the 4th Infantry Division, Fort Hood, Texas for their honorable commitment to Fort Hood, Texas and the United States of America.

The 4th Infantry Division will be leaving Fort Hood and relocating to Ft. Carson, CO this month.

The citizens of TX-31 have supported the 4th Infantry Division through the Adopt-A-Unit Program as they deployed and completed tours in Iraq over the last year. Through this support relationships have been built with the men and women of the 4th ID and their families. The people of TX-31 will miss the remarkable family they have made.

It has been a true honor to have MG Hammond and the men and women of the 4th Infantry Division reside in Texas District 31.

I am pleased to recognize Major General Hammond and the 4th Infantry Division for their time spent at Fort Hood, Texas.

EARMARK DECLARATION

HON. NATHAN DEAL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. DEAL of Georgia. Madam Speaker, I submit the following:

Requesting Member: Congressman NATHAN DEAL

Bill Number: H.R. 2996

Account: STAG Water and Wastewater Infrastructure Project account

Legal Name of Requesting Entity: The City of Gainesville, Georgia

Address of Requesting Entity: Metropolitan North Georgia Water Planning District, 40 Courtland Street, NE, Atlanta, GA 30303

Description of Request: Pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the Congressional Record regarding earmarks I received as part of [Bill 2996, the ''Department of the Interior, Environment, and Related Agencies Appropriations Act for 2010.''] Any federal funding received would be used to help local governments meet water resource plan requirements and be used for various stages of design and construction for several water projects including watershed management, wastewater treatment and water conservation. District serves broad public purpose protecting water supplies and water quality. Rivers and streams don't follow political boundaries, (12 of 16 District counties lie within more than one watershed) regional solutions to problems are only way to achieve lasting results. District's projects are multi-jurisdictional in nature and beyond abilities of individual local governments. Consequently, federal assistance will allow members to work towards these critical regional solutions. District's plans outline variety of water related activities required by various state and federal requirements. Successful implementation of District's plans has national significance through protection of water resources of roughly half the Georgia population.

EARMARK DECLARATION

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. SMITH of Texas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 2010 Financial Services and General Government Appropriations Act.

Requesting Member: Congressman LAMAR SMITH

Bill Number: FY2010 Financial Services and General Government Appropriations Act

Account: GSA—Federal Buildings Fund

Legal Name of Requesting Entity: General Services Administration, Washington, DC

Address of Requesting Entity: 1800 F Street, NW, Washington, DC 20405

Description of Request: I have secured $4,000,000 for the San Antonio United States Courthouse, Texas. It is my understanding that the requested funds are additional design funding for a new federal courthouse in San Antonio, Texas. Design funds were originally appropriated in FY 2004, but GSA had difficulty identifying a site. They have now identified a site and intend to swap the land the courthouse is currently on, as well as an adjacent government-owned site, for a city-owned site on which to build the courthouse. GSA will require, however, additional design funding now to hire an architect to design the proposed facility. I certify that neither I nor my spouse has any financial interest in this project.

COMMEMORATING THE COURAGE AND SERVICE OF THE WORLD WAR II VETERANS OF IBEW LOCAL 601

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. JOHNSON of Illinois. Madam Speaker, I rise today to pay tribute to the Veterans of the International Brotherhood of Electrical Workers Local 601 in Champaign, Illinois. On July 11, IBEW Local 601 will be sponsoring a World War II Heritage Day which will honor 48 of their members who fought for our freedom in World War II.

The citizens of the United States of America find great inspiration in the men and women of our armed forces. We hold our revered veterans with the highest respect and admiration, remembering those who stepped forth with tremendous courage to make the ultimate sacrifice in World War II. On July 11, 2009 we join to celebrate a particularly inspiring group of this nation's citizens, the World War II Veterans of IBEW Local 601 who served with remarkable dedication to protect our cherished ideals of freedom and democracy.

Throughout the history of our great nation, brave and patriotic individuals answered the most honorable call to serve this country. Out of the bloodshed and carnage of World War II rose shining examples of selfless courage, heroism and glorious deeds performed under the direst of circumstances and against a background of unprecedented loss of lives.

From the moment of the first attack upon Pearl Harbor to the declarations of victory in Europe and Japan, this assault waged upon the entire world took an enormous toll in terms of human casualties. They went off willingly to the battlefields, seas and skies of Europe and the South Pacific to risk their lives.

I have the utmost respect for the soldiers, sailors, airmen, and marines of our armed forces who bravely served this nation during

World War II and welcome the opportunity to acknowledge and thank the members of IBEW Local 601 for their valiant efforts in defending freedom and democracy, and in building a more peaceful world.

To commemorate the noble service and sacrifices of IBEW Local 601 World War II Veterans, I would like to read each of their names into the CONGRESSIONAL RECORD.

IBEW Local 601 World War II Veterans who served in the U.S. Navy:

Andrew Messmer
Arlo Deremial
Earl ''Pete'' Schweighart
Evan B. Renn
Fred L. Cline
Robert F. McNattin
Glen Wilsky
Howard McIntosh
Hugh Bothwell
Frederick C. Treseler
Morgan C. Craft
Richard G. Hensler
Merle R. ''Bud'' Mingee
Robert Carley
Ralph L. Allison
Ross Brown
Cecil E. Reynolds
Al Schaede
Richard McNattin
Miles P. ''Olie'' Bland
Orville L. Bell
John P. Bothwell
Lafayette C. Craft
Russell Reynolds

IBEW Local 601 World War II Veterans who served in the U.S. Army:

Brice ''Speedy'' Hartyman
Clarence Berger
Dale Terven
David R. Goodwin
Floyd H. Ellis
George Panbacker
Robert Faullin
George Bland
Howard Barham
Russell E. Wicks
Glen ''Red'' Eastman
Nyles R. '' Shorty'' Hardyman
Wally Lamb
Harold E. McHenry
Paul Rubenacker

IBEW Local 601 World War II Veterans who served in the U.S. Army Air Force:

E. L. ''Al'' Ruthstrom
Lynn Norris
Donald E. Wonders
Harold Schweighart
Wayne Billhymer
Leo J. Francis
John J. Minneci

IBEW Local 601 World War II Veterans who served in the U.S. Marines:

Harold Clements
Richard Henry Hillier, Jr.

May their noble service and sacrifices be remembered forever. I know the House of Representatives will join me in honoring the Veterans of IBEW Local 601 for their World War II Heritage Day on July 11, 2009.

WILLIAM CHURCHHILL ''DOBBER'' DOYLE

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. DUNCAN. Madam Speaker, there is perhaps no greater sacrifice an American can make than serving their Country during a time of war, and one of my constituents—William Churchhill ''Dobber'' Doyle—has quite a story to tell.

At 90-years-old, Billy—as he is known to many—loves to share his tale with anyone who will listen. Like many from the ''Greatest Generation,'' his time during World War II reads like a Hollywood script, but to the humble man who lived it, the sacrifice was his duty.

Billy was assigned to a supply unit and stationed at Camp Forrest in Tullahoma, Tennessee in December 1941. On December 6, he was told to get ready to be deployed, and he boarded a troop train to the west coast on the eve of the Japanese attack on Pearl Harbor.

His first step on foreign soil was on his birthday on November 19, 1942, in North Africa. He would eventually pass through sites like Casablanca and Cairo and make his way to Europe, crossing through Italy, Germany, and France. As Billy told the Knoxville News Sentinel in Knoxville, Tennessee, ''Every time the front moved, we had to move.''

As part of a supply unit, Billy was one step behind General Patton throughout the war, tasked with keeping him supplied and always at risk of attack. He was part of one of the bloodiest campaigns of the war to establish a beachhead in Italy. 3,000 troops died in the effort, and his 30-member unit lost two in the battle.

Billy demonstrated his true character after breaking his nose in the field. He refused to seek treatment because that would mean having to leave his men.

His favorite moment of the war was when a group of French citizens called him a liberator. He learned of the end of the war in Lyon, France while listening to the radio. As he told the Knoxville News Sentinel, ''The town went crazy, especially the girls.''

Throughout his life in Tennessee after the war, Billy has selflessly given his time back to the community. He is known as the ''Bread Man'' around his hometown of Vestal, and donates his time to the Vestal United Methodist Church Food Pantry and Center of Hope Ministry. He is loved and respected by everyone who is fortunate enough to know him.

Madam Speaker, I have known many members of the Doyle family, and they are one of the most respected and prominent families in South Knoxville. I gladly bring this story of William Churchhill ''Dobber'' Doyle to the attention of my Colleagues and other readers of the RECORD, and I hope this tale of the ''Greatest Generation'' inspires the next.

TRIBUTE TO PRIVATE AMOS McKINNY

HON. PARKER GRIFFITH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. GRIFFITH. Madam Speaker, I rise today to recognize Private Amos McKinney. Private McKinney was a Black Soldier who served the United States Army in a White Regiment during the Civil War.

Amos McKinney started his service to our country at Rome, Georgia on December 15, 1863 as an Undercook in Company C of the 1st Alabama Calvary. Enlisting as a cook was the avenue to combat for many African American soldiers during the Civil War, and Private McKinney was no different. During his service, he was shot below the knee and also suffered several wounds to his chest before being mustered out of service on October 20, 1865 in Huntsville, Alabama.

Unfortunately, history has forgotten many Black Soldiers who served the Union White Regiments during the Civil War. Driven by a firm belief in the Union's purpose, Private McKinney and others were willing to work their way up the ranks so they could fight for the cause. Their perseverance and courage should not be lost. In recognition of Private McKinney's service, there will be a dedication ceremony on July 11, 2009 for a memorial established in his honor.

Amos McKinney married Melissa Ann McAfee Pearson after the war, and together they had 9 children. Private McKinney's courage is surely an inspiration to the family he left behind, and his bravery is a testament to the power of an unyielding American spirit and personal resolve.

Madam Speaker, I stand to recognize an American soldier and to extend my gratitude for the service of Private Amos McKinney and those who served beside him. I commend the McKinney family and the historians of my district whose efforts made this recognition possible.

HONORING THE CONGREGATION OF NOTRE DAME IN NEW HYDE PARK, NEW YORK

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mrs. MCCARTHY of New York. Madam Speaker, I rise in honor of the congregation of Notre Dame in New Hyde Park, New York to commemorate its remarkable contributions to the community. Celebrating its 50th anniversary, the Church of Notre Dame has been an influential and beneficial entity in New Hyde Park and beyond. Through a wide-range of programs, Notre Dame and its congregation have served their community with persistence and openness. For this, the Church and its congregation, both past and present, are deserving of recognition.

The Church of Notre Dame and its affiliated school do much for the community. Over the past half century, thousands of students have acquired the skills and focus to live meaningful and productive lives while attending Notre Dame. These students, drawing on their education at Notre Dame School, often give back to their community as a part of Notre Dame's congregation and beyond. In addition, the Church itself runs many programs that aid the local community. Reaching out to others in New Hyde Park and providing for both its congregation and those in need, the Church has and continues to provide important services and opportunities for the community and has remained a place of both worship and hospitality. Activities such as food drives, educational seminars, and support groups, are just a few examples of programs sponsored by the Church for the benefit of its congregation and community. As Notre Dame celebrates its 50th

anniversary, it is a great time to reflect on all the positive work its congregation has done in New Hyde Park over the past half century and to look towards a future of continued public and spiritual service.

The work of this Church and its congregation is inspiring to us all, and I am immensely grateful to them for all that they have accomplished. I ask my colleagues to join me in expressing the gratitude of the U.S. Congress for their extensive contributions to society.

EARMARK DECLARATION

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. SMITH of Texas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 2010 Energy and Water Development Appropriations Act.

Requesting Member: Congressman LAMAR SMITH

Bill Number: FY 2010 Energy and Water Development Appropriations Act

Account: Corps of Engineers—Investigations

Legal Name of Requesting Entity: U.S. Corps of Engineers (on behalf of the Lower Colorado River Authority)

Address of Requesting Entity: P.O. Box 17300, Fort Worth, TX 76102

Description of Request: I have secured $700,000 for the Lower Colorado River Basin Study. It is my understanding that the funding will be used towards the completion of the basin wide study in order to identify cost-effective ways to reduce flood damages in the lower Colorado River basin of Texas. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman LAMAR SMITH

Bill Number: FY 2010 Energy and Water Development Appropriations Act

Account: Corps of Engineers—Investigations

Legal Name of Requesting Entity: U.S. Army Corps of Engineers (on behalf of the San Antonio Water System)

Address of Requesting Entity: P.O. Box 17300, Fort Worth, TX 76102

Description of Request: I have secured $600,000 for the Nueces River and Tributaries Study. It is my understanding that the funding will be used for the continuation of a detailed study of the complex relationships between surface water, groundwater and the varying ecosystems and communities dependent on such water. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman LAMAR SMITH

Bill Number: FY 2010 Energy and Water Development Appropriations Act

Account: Corps of Engineers—Construction

Legal Name of Requesting Entity: U.S. Army Corps of Engineers (on behalf of the San Antonio River Authority)

Address of Requesting Entity: P.O. Box 17300, Fort Worth, TX 76102

Description of Request: I have secured $1,500,000 for the San Antonio Channel Improvement Project. It is my understanding that the funding will be used for the Mission Reach project to restore an eight-mile stretch of the San Antonio River south of downtown previously channelized for flood control purposes. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman LAMAR SMITH

Bill Number: FY 2010 Energy and Water Development Appropriations Act

Account: Department of Energy—EERE

Legal Name of Requesting Entity: Bexar County

Address of Requesting Entity: 100 Dolorosa, San Antonio, TX 78205

Description of Request: I have secured $1,000,000 for the Bexar County Solar Collection Farm and Distribution System. It is my understanding that the funding will be used for the installation of a 200-kilowatt solar photovoltaic system. I certify that neither I nor my spouse has any financial interest in this project.

IN COMMEMORATION OF THE GREAT CHARITABLE WORKS OF CHARLIE AND SANDY MARKEL IN MEMORY OF THEIR SON, RYAN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. HIGGINS. Madam Speaker, I rise today to commemorate the great charitable works of Charlie and Sandy Markel in memory of their son, Ryan. Ryan tragically died during a school swim class on December 19, 2002 at age eleven. This was a heartbreaking loss to his family, friends and community.

Since the death of their young son, the Markel family has been working hard to spread safety awareness, especially in the school setting. They started Ryan's Hope Foundation, which offers low-cost cardiopulmonary resuscitation and defibrillator certification, as well as pool safety. Since the founding of Ryan's Hope Foundation, the Markels and their team of volunteers have trained around four thousand people in CPR and defibrillator skills.

Ryan was deeply loved by his family, friends and his school community. Mourning the loss, many members of the community donated money to the Markels, which they immediately put into the Ryan's Hope Foundation. Along with the money that comes from certification fees, the Markels have put any money that would have gone toward Ryan's allowance, Christmas and birthday presents into the Foundation.

This past June, Ryan would have graduated from Depew High School. To honor Ryan's life, Ryan's Hope Foundation rewarded every college-bound member of the graduating class with the Ryan Markel Scholarship. Two students received a $500 scholarship and 167 other graduates received a $100 scholarship. The recipient also received a letter from Charlie, Sandy and their daughter, Amanda wishing the graduates luck and thanking them for being a part of Ryan's life.

Ryan's classmates also took measures to commemorate Ryan at graduation. During the ceremony, one of Ryan's classmates read a letter about Ryan and called his family on stage. In addition, the graduating seniors created a memorial displayed in the foyer at the graduation ceremony, which included Ryan's photograph, a graduation cap and a poem. An entire page of the yearbook was dedicated to Ryan and his classmates included a tribute to Ryan in their class DVD. Finally, his classmates bought the rights to name a star in his honor.

It is my honor to commemorate the life of Ryan Markel and the charitable efforts of his family. On behalf of the Western New York community, I thank the Markels for their extraordinary efforts to increase safety awareness in the memory of their son.

EARMARK DECLARATION

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, I submit the following information.

Requesting Member: Representative MARIO DIAZ-BALART (FL–25)

Bill Number: H.R. 2997

Account: Agricultural Research Service

Name of Requesting Entity: University of Florida/IFAS

Address of Requesting Entity: 700 Experiment Station Rd, Lake Alfred, FL, 33850

Description of Request: I have secured $1,300,000 for the Citrus Canker and Greening Research. This funding will be used for Continuation of vital citrus Canker, citrus Greening/Huanglongbing (HLB) and Asian Citrus Psyllid (ACP) research to improve technologies for treatment and detection, methods of movement and containment, and means to control and eliminate these devastating citrus diseases and disease vector. Currently, citrus Canker disease, the spread of the ACP and citrus Greening/HLB are the two most serious diseases and vector facing the U.S. citrus industry. Both diseases and the vector have been declared endemic in the state of Florida and pose serious threats to California, Texas and to the viability of the U.S. citrus industry. Research supported through federal funding in addition to state and grower funds is critical to ensuring that the citrus industry remains a viable part of America's economy. In Florida alone, commercial citrus is a $9 billion dollar a year industry that supports almost 90,000 jobs. California and Texas combined have over a $3.2 billion economic impact with over 26,000 jobs in their respective states. Due to the severity of just these two diseases and vector, the importance of continuing critical research unabated is crucial. Canker is caused by a bacterium that creates lesions on the leaves, stems, and fruit of citrus trees, including oranges and grapefruit. While not harmful to humans, Canker significantly affects the health of trees, causing leaves and fruit to drop prematurely. Wind and rain serve as the vector of Canker. Citrus greening/HLB is a bacterial disease which is spread by the Asian citrus psyllid. Although it presents no threat to humans or animals, trees diagnosed with citrus greening/HLB have greatly reduced production and often die within a few years. Recently, research for these diseases and vector

has been done on a state by state basis. More than 100 research projects are currently underway in an attempt to find scientific answers to greening/HLB, the ACP and Canker. A new federal ARS research initiative could ultimately provide long-term solutions to these invasive pests and diseases. This new approach has become necessary to help protect U.S. citrus production and mitigate the impact of these exotic pest and diseases. Scientists are confident that intensive and sustained research can solve the Greening/HLB, ACP and Canker puzzles once and for all.

Requesting Member: Representative MARIO DIAZ-BALART (FL–25)

Bill Number: H.R. 2997

Account: CSREES

Name of Requesting Entity: University of Miami

Address of Requesting Entity: 142 Collegiate Loop, Tallahassee, FL, 32306

Description of Request: I have secured $2,494,000 for the Southeast Climate Consortium. This funding will be used to characterize the impacts of ENSO-related climate variability (a global coupled ocean-atmosphere phenomenon producing the most prominent known source of inter-annual variability in weather and climate around the world) on agricultural commodities and specialty crops. Explore alternative management responses to realistic climate scenarios and quantify expected outcomes. Establish communications process that can rapidly disseminate climate information and decision support tools regularly while gleaning user feedback on the usefulness and relevance of the provided analyses via agricultural stakeholders and state extension services. Study the agricultural impact of water managers' decisions in response to climate variability. Weather and climate significantly affect agriculture; year-to-year climate variability (e.g., flooding, droughts) can dramatically impact agricultural productivity. Climate forecast information for a relatively small regional group of agricultural decision-makers has proven useful. By expanding efforts into Georgia and Alabama via new collaborations with universities there, we enhance our understanding and predictive abilities as we tailor information for a wider range of Southeast agricultural decision makers.

EARMARK DECLARATION

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. COBLE. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 2996, the Interior, Environment and Related Agencies Appropriations Act of 2010.

Requesting Member: Congressman HOWARD COBLE

Bill Number: H.R. 2996

Account: Land and Water Conservation Fund

Legal Name of Requesting Entity: Uwharrie Trail, Randolph County, North Carolina.

Address of Requesting Entity: U.S. Forest Service, 160 Zillicoa Street, Suite A, Asheville, NC 28801

Description of Request: The bill provides $500,000 for land acquisition to complete the second portion of the Uwharrie Trail in Randolph County, NC. The Uwharrie National Forest is located in the Piedmont area of central North Carolina. It is located in a rural but developing area 40 miles from Charlotte (more than 1.3 million in population), and almost as near to the Research Triangle cities of Greenville/Raleigh and Durham, NC. At 50,189 acres, the Uwharrie is the smallest National Forest with the most fragmented ownership in North Carolina, owning only 23% of lands within the forest boundary. Land acquisition offers the best opportunity to consolidate this scattered ownership pattern and will also improve plant and wildlife habitat, reduce the threat to endangered species, increase recreation opportunities, and improve water quality in the Uwharrie River watershed. The Uwharrie National Recreation Trail currently runs north from a trailhead on Highway 24/27 near Wood Run Hunt Camp in Montgomery County through lands along the north portion of the Uwharrie National Forest in Randolph County. The current trail is 20.4 miles in length and provides views of the surrounding countryside containing a mixture of oak, hickory, maple and conifer tree communities.

RECOGNIZING THE W*I*N OF ROUND ROCK

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. CARTER. Madam Speaker, I would like to recognize W*I*N (Women Impacting the Nation) of Round Rock, Texas for their success in making a difference in the community in such a short time frame with Freedom Festival 2009.

The W*I*N organization helped organize and host the 2009 Freedom Fest held July 4th at Dell Diamond, a concert and firework presentation benefiting The Children of Fallen Soldiers. Children of Fallen Soldiers is a non-profit organization based out of Round Rock, Texas with a goal to provide each child who has lost a parent in the line of duty, with $25,000 to assist with college expenses, or to otherwise help them to start out in the world when they turn 18. Fifteen central Texas children have been identified through the program to have lost a parent in the line of duty. The soldiers who were killed were all from Ft. Hood, Texas.

The Freedom Fest 2009, is just one of the events the W*I*N organization has sponsored and organized in Texas District 31. It is an honor to recognize and thank the local W*I*N group for their dedication to the families in Texas District 31, our community and our country.

EARMARK DECLARATION

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. MCKEON. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding Member priority requests I received as part of H.R. 3082, the "Military Construction and Veterans Affairs Appropriations Act, 2010."

Requesting Member: Congressman HOWARD P. "BUCK" MCKEON

Bill Number: H.R. 3082, the "Military Construction and Veterans Affairs Appropriations Act, 2010"

Account: MILCON, Navy

Legal Name of Requesting Entity: U.S. Marine Corps Mountain Warfare Training Center

Address of Requesting Entity: U.S. Marine Corps Mountain Warfare Training Center, Bridgeport, CA, 93517

Description of Request: I requested and received a Member priority authorization request totaling $6,830,000 for a new commissary at the U.S. Marine Corps Mountain Warfare Training Center. This project would construct a permanent commissary at the U.S. Marine Corps Mountain Warfare Training Center. Due to the remote location of the base outside Bridgeport, California, military members and their families travel dozens of miles over steep and sometimes impassable roadways to buy groceries and supplies. This project would eliminate that drive and provide an improved quality of life on base, especially during the winter months.

EARMARK DECLARATION

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. PAULSEN. Madam Speaker, pursuant to the Republican standards on Member requests, I am submitting the following information regarding congressionally directed appropriations projects I sponsored as part of H.R. 2847, FY 2010 Department of the Interior, Environment and Related Agencies Appropriations Bill.

Account: STAG Water and Wastewater Infrastructure

Amount: $500,000

Requesting entity: City of Maple Plain

Address: 1620 Maple Avenue; Maple Plain, MN 55359

Description of Project Request: Funding would allow the City of Maple Plain to comply with Federal water standard mandates by helping finance a new water treatment facility. The facility is necessary to meet Environmental Protection Agency requirements for the city's water radium levels.

I certify that this project does not have a direct and foreseeable effect on the pecuniary interests of me or my spouse.

EARMARK DECLARATION

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. SHIMKUS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847.

Requesting Member: JOHN M. SHIMKUS

Bill number: H.R. 2847

The Account: COPS Tech

Requesting Entity: Christian County Sheriff at 301 Franklin St. Taylorville, IL 62568.

Funding would go to be used for interoperable communication needs for emergency response in Christian County.

The Account: OJP—Byrne

Requesting Entity: Fairfield Police Department at 108 NW 7th St. Fairfield, IL 62837.

Funding will be used for an emergency generator and security and communications upgrades for Fairfield Police Department to allow them to utilize their facility and provide the equipment necessary for security compliance.

The Account: OJP—Byrne

Requesting Entity: Findlay Police Department at 221 E. S. Second St. Findlay, IL 62534.

Funding will be used for equipment to allow the FPD to properly equip their officers for the seasonal increases in traffic

The Account: OJP—Byrne

Requesting Entity: Village of Southern View located at 3412 S. Fifth St. Springfield, IL 62703.

Funding will be used for training and equipment for the Southern View Police Department.

The Account: OJP—Byrne

Requesting Entity: Wayne County Sheriff's office located at 305 E. Court St. Fairfield, IL 62837.

Funding will be used for equipment and supplies to upgrade underage drinking enforcement and other communications related equipment at Wayne County Sheriff's office.

The Account: OJP—JJ

Requesting Entity: i-SAFE, Inc. located at 5900 Pasteur Court, Suite 100 Carlsbad, CA 92008.

i-SAFE is a non-profit foundation that has been providing, since 2002, Internet Safety curriculum to over 7.2 million students nationwide. Parents, educators, law enforcement and industry rely on i-SAFE to educate citizens in all 50 states about how to remain safe from online predators, consumer fraud, bullying and many other online victimizations. The funding will go toward furthering these goals.

RECOGNIZING THE CITY OF CEDAR PARK

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. CARTER. Madam Speaker, I would like to recognize the Cedar Park City Council and staff for their great work within the community and helping to identify economic drivers and the small business in Cedar Park that make our community work.

I appreciate the work and dedication of the Cedar Park City Council and look forward to continuing to work with them in the future.

It is an honor to recognize the Cedar Park City Council for their great work.

PAN AMERICAN GOLF ASSOCIATION NATIONAL TOURNAMENT AND CONVENTION

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. ORTIZ. Madam Speaker, I rise today to recognize the Pan American Golf Association National Tournament and Convention, which will be hosted on July 27–31 in Corpus Christi, Texas.

The tournament, which will be played on a beautiful day in the Coastal Bend area, returns to Corpus Christi after 10 years, and it has a special meaning to the Corpus Christi Chapter, which was established in 1951, with a handful of Hispanic golfers playing at Oso Golf course at the end of Alameda Street. Today, there are more than 42 Pan American Association Chapters in the country, including Corpus Christi.

I take this time on the House floor to welcome each and every one of our participants and ask that they enjoy their time with friends, family and loved ones. I know some of the best players of the sport will come together from across the nation to tee off.

I applaud the efforts made by those involved in getting the 2009 Pan American Golf Association National Tournament and Convention to Corpus Christi, and extend to all my best wishes.

Today, I ask that my colleagues join me in commemorating the 2009 Pan American Golf Association National Tournament and Convention and the Corpus Christi Chapter for their dedication, support and love for the sport of golf.

EARMARK DECLARATION

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. GINGREY of Georgia. Madam Speaker, pursuant to the Republican Leadership standards on earmarks as well as in accordance with Clause 9 of rule XXI, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman PHIL GINGREY

Bill Number: H.R. 2997

Account: Department of Agriculture; Natural Resources Conservation Service, Watershed and Flood Prevention Operations

Legal Name of Requesting Entity: Paulding County (GA) Board of Commissioners

Address of Requesting Entity: 240 Constitution Boulevard, Dallas, GA 30132

Description of Request: The project will be a pump-fill reservoir located within the upper reaches of Richland Creek in northern Paulding County, Georgia. The funding granted in H.R. 2997 is to be used for engineering and design services for the dam structure and appurtenances, raw water withdrawal station, raw water pipeline, and for mitigation purposes.

Richland Creek Reservoir is a public water supply reservoir that is being proposed to fulfill Paulding County's water supply needs for the next 50 years. As Richland Creek has a small drainage basin, a raw water intake structure and pipeline must be constructed on the Etowah River to supply water to the 4.4 billion gallon reservoir. According to our 50-year water needs projections, Paulding County will need approximately 62 million gallons per day (MGD). Currently, Paulding County purchases 100% of its potable water from Cobb County-Marietta Water Authority (CCMWA). CCMWA has in its long-term plan to be able to supply Paulding with up to 27 MGD leaving an unmet need for Paulding County of 35 MGD. Richland Creek Reservoir is expected to fulfill the unmet water supply need of 35 million gallons per day (MGD) for Paulding County.

The $100,000 added to H.R. 2997 will be used in its entirety for Surveying, Engineering Studies & Permitting for the reservoir to help fulfill the water needs of Paulding County.

HONORING FRANK KUCINICH, JR.

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Ms. FUDGE. Madam Speaker, I rise today to honor the memory of Frank Kucinich, Jr., brother of Representative DENNIS KUCINICH, and recognize his service to our country and his dedication to the City of Cleveland, Ohio.

Frank Kucinich, Jr. was a United States Marine Corps combat veteran of the Vietnam War, who was promoted to lance corporal on the battlefield. After leaving Vietnam, Frank continued his service in the Mediterranean in support of the U.S. Navy's Sixth Fleet in Europe. He was honorably discharged from the United States Marine Corps in September 1968.

Frank Kucinich received many military awards for his service. He was also one of the founding members of the Vietnam Veterans of America, Chapter 15, in Cleveland, Ohio, and was nominated to the Ohio Veterans Hall of Fame.

Frank had retired and lived at the Ohio Veterans Home in Sandusky, Ohio when he passed away on June 30. Frank was the beloved brother of DENNIS, Gary, Theresa, Larry, the late Perry and the late Beth Ann.

Madam Speaker and colleagues, please join me in celebrating the life of Frank Kucinich, Jr., and in recognizing his service to our community and our country. His patriotism and contributions to society serve as an inspiration to all of us.

RECOGNIZING LANDY WARREN OF ROUND ROCK

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. CARTER. Madam Speaker, I would like to recognize Landy Warren of Round Rock, Texas for his unbelievable service to our country, his leadership through Children of Fallen Soldiers and Freedom Festival 2009.

The Children of Fallen Soldiers is a nonprofit organization based out of Round Rock, Texas with a goal to provide each child who has lost a parent in the line of duty, with $25,000 to assist with college expenses, or to otherwise help them to start out in the world when they turn 18. The Children of Fallen Soldiers organization was born through the vision of the Rotary DISTRICT 5870, in Round Rock, Texas.

Fifteen central Texas children have been identified through the program who have lost a parent in the line of duty. The soldiers who were killed were all from Ft. Hood, Texas.

The Freedom Fest 2009, a 4th of July concert and fireworks presentation to benefit The Children of Fallen Soldiers, was held this year with the hard work of Landy, and other local sponsors.

It is an honor to recognize Landy, as he continues to be a true leader in Texas District 31, and in our country.

CONGRATULATING SUE LOFGREN—SCI VOLUNTEER OF THE YEAR

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. MITCHELL. Madam Speaker, I rise today to honor Sue Lofgren from my home town of Tempe, Arizona. Sue is being recognized as the Sister Cities International Volunteer of the Year at the annual conference. This year's conference takes place in Belfast, Northern Ireland.

The cities of Tempe, Arizona and Timbuktu, Mali, West Africa have enjoyed an eighteen year partnership through Sister Cities International. This relationship has persevered, despite hurdles which would have daunted most people. Lack of modern communication methods in 1991, the language barrier, as well as the physical difficulties of travel to that remote part of the world, were just a few of the hurdles. Sue found a way to overcome all of them.

The number one issue facing Timbuktu was lack of water. Sue arranged for a retired water engineer to travel to Timbuktu—no easy task in itself—to assess the feasibility of drilling water wells. Once water was found 100 feet down, Sue's real work began. She organized a fundraising effort to secure the $7,000 needed to drill a well, by selling bottled water bearing the label, "Water for You . . . and Timbuktu". The next hurdle was getting the money to Mali as Timbuktu had no bank, no Western Union, no nothing. This was eventually accomplished through a third party. When the first well opened, people literally danced in the streets and named that first effort, The Sue Lofgren Well. She has since raised money for six more wells.

When Sue made her first visit to Timbuktu, she packed her clothes and $11,000 of donated medical supplies, reading glasses, soccer balls and school supplies. While on her visit, she was home-hosted and saw first hand the great needs of these proud people. She returned home and redoubled her efforts on their behalf.

To date, she has singlehandedly raised at least $200,000 in aid for Timbuktu. In addition to the wells, money has gone to purchasing wheelchairs, goats, sheep and camels, sewing machines, gardening supplies, medical and school supplies, as well as toilets and a millet grinder for the Women's Center. In 2008 she also facilitated a relationship with Project C.U.R.E which resulted in the donation of another $500,000 in badly needed medical equipment.

All of this effort might seem to be enough for most of us, but not Sue. In addition to her efforts on Timbuktu's behalf, she volunteers a lot of her time to other programs of Tempe Sister Cities. She and her husband, Bob, have hosted international guests from Tempe's six other sister cities. She volunteers in the organization's gift shop, works in the kitchen for events and has organized the information booth at the annual Way Out West Oktoberfest. She is tireless in her dedication to Tempe Sister Cities, and especially to Timbuktu.

I am proud to call Sue Lofren a friend, and prouder yet that her efforts are being recognized by this wonderful award. Please join me in congratulating this outstanding person.

THE 100TH BIRTHDAY OF MR. JESUS GONZALEZ VILLAGOMEZ

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. ORTIZ. Madam Speaker, I rise today to recognize Mr. Jesus Gonzalez Villagomez, who celebrated his 100th birthday on May 5, 2009, surrounded by family, friends and loved ones.

Mr. Villagomez was born on May 5, 1909, in Villa Morelos, Michoacan, Mexico, to a ranching and farming family—Telesforo and Antonia Gonzalez Villagomez.

When he turned 18, he migrated to the United States entering at the Port of Brownsville in Brownsville, Texas, and a few years later returned to Mexico where he met and married his lifelong companion and wife, Mariana Aguillon Villagomez. Mr. Villagomez and his wife returned to the United States and settled in Fargo, North Dakota.

He joined the United States Army at Kelly Air Force Base in San Antonio, Texas, during World War II and was honorably discharged. Mr. Villagomez would go on to make a name for himself holding positions with the Union Pacific Railroad and the Armour Meat Packing Company in Fargo, North Dakota, where he retired from.

He is fluent in English and Spanish and has a true love and passion for education. He has a son, Jesse Villagomez, Jr., of Ft. Worth, Texas, and a daughter, Maria Antonieta Villagomez, of Corpus Christi, Texas, as well as four grandchildren and three great grandsons.

Mr. Villagomez's hobbies include: gardening, cooking, reading, dancing, and traveling.

Today, I ask that my colleagues join me in celebrating the 100th birthday of Mr. Jesus Gonzalez Villagomez who has lived a happy life surrounded by family, friends and loved ones.

PERSONAL EXPLANATION

HON. RON KLEIN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. KLEIN of Florida. Madam Speaker, I submit a record of how I would have voted on June 18 and 26, 2009 when I was unavoidably detained.

Had I voted, I would have voted "yes" on rollcall No. 383, "yes" on rollcall No. 390, "yes" on rollcall No. 400, "yes" on rollcall No. 406, and "no" on rollcall No. 472.

EARMARK DECLARATION

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. WALDEN. Madam Speaker, consistent with the House Republican Leadership's policy on earmarks, to the best of my knowledge the requests I have detailed below are (1) not directed to an entity or program that will be named after a sitting Member of Congress; and (2) not intended to be used by an entity to secure funds for other entities unless the use of funding is consistent with the specified purpose of the earmark. As required by earmark standards adopted by the House Republican Conference, I submit the following information on projects I requested and that were included in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (H.R. 2997).

Account: Agriculture Research Service—Salaries and expenses

Project Name: Northwest Center for Small Fruits, Corvallis, OR

Legal Name and Address of Requesting Entity: Northwest Center for Small Fruits Research, 4845 B SW Dresden Ave., Corvallis, OR 97333

Project Location: Corvallis, Oregon

Description of Project: H.R. 2997 appropriates $254,000 for the Northwest Center for Small Fruits Research conducted by USDA's Agriculture Research Service (ARS). According to the requesting entity, the appropriated funds for this project will be used by ARS to fund cooperative research, extension, and education activities on peer-reviewed small fruits research project proposals that will enhance profitability and sustainability of the small fruits industry in the Pacific Northwest.

Account: National Institute of Food and Agriculture—SRG

Project Name: Multi-commodity Research, OR

Legal Name and Address of Requesting Entity: Oregon State University, Corvallis, OR 97331–4501

Project Location: Corvallis, Oregon

Description of Project: H.R. 2997 appropriates $244,000 for the Multi-commodity Research, OR program to be conducted by Oregon State University. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to

enhance competitiveness and expand the economic value-added component in Oregon agriculture products through research and outreach in food processing, product development, business strategy, marketing, and consumer testing.

Account: National Institute of Food and Agriculture—SRG

Project Name: Potato Research, ID, OR, WA

Legal Name and Address of Requesting Entity: Oregon State University, Corvallis, OR 97331–4501

Project Location: Corvallis, Oregon

Description of Project: H.R. 2997 appropriates $1,037,000 for the Potato Research, ID, OR, WA program to be conducted in part by Oregon State University. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to develop and commercialize new potato varieties that will directly benefit all segments of the Northwest potato industry and indirectly benefit all U.S. potato producing regions.

Account: National Institute of Food and Agriculture—SRG

Project Name: Regional Barley Gene Mapping Project, OR

Legal Name and Address of Requesting Entity: Oregon State University Corvallis, OR 97331–4501

Project Location: Corvallis, Oregon

Description of Project: H.R. 2997 appropriates $471,000 for the Regional Barley Gene Mapping Project, OR program to be conducted by Oregon State University. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to stimulate economic activity in the agriculture sector and to improve human health and welfare by using the tools of genomics to develop improved barley varieties, which will be more tolerant of stresses caused by plant diseases, insects, and climate change. Furthermore, enhanced tolerance will lead to greater productivity with fewer chemicals and fertilizer inputs. The project will also help develop varieties that will provide needed crop diversity for eastern Oregon wheat farmers.

Account: National Institute of Food and Agriculture—SRG

Project Name: Small Fruit Research, ID, OR, WA

Legal Name and Address of Requesting Entity: Oregon State University Corvallis, OR 97331–4501

Project Location: Corvallis, Oregon

Description of Project: H.R. 2997 appropriates $307,000 for the Small Fruit Research, ID, OR, WA program to be conducted in part by Oregon State University. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to fund cooperative and competitive research grants, and education activities to enhance the profitability and sustainability of the small fruits industry in the Pacific Northwest.

Account: National Institute of Food and Agriculture—SRG

Project Name: STEEP IV—Water Quality in Northwest

Legal Name and Address of Requesting Entity: Oregon State University Corvallis, OR 97331–4501

Project Location: Corvallis, Oregon

Description of Project: H.R. 2997 appropriates $444,000 for the STEEP IV—Water Quality in Northwest program to be conducted in part by Oregon State University. Oregon State University has confirmed in their justification that the appropriated funds for this project will be used to establish a network of agriculture research sites from which to address long term agriculture, environmental, and agroecosystem problems. According to the requesting entity, to date, the STEEP research grant has provided funds to develop cropping techniques such as direct-seeding, residue management, weed control, and accompanying extension programs to facilitate the adoption of successful conservation farming for the Pacific Northwest.

AMERICAN CLEAN ENERGY AND SECURITY ACT OF 2009

SPEECH OF

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, June 26, 2009

Ms. DELAURO. Madam Speaker, I rise in support of the American Clean Energy and Security Act—a historic step forward to revitalize our economy and get America running on clean energy.

There is a global race underway to develop clean energy technologies. We have the innovation and manpower to take the lead—but we will not get there unless we muster the political will to keep our nation competitive. This bill makes sure that everyone benefits from the millions of jobs this bill will create through a Green Construction Demo Project and additional Green Jobs Act funding to train workers with the new skills they will need to repower and rebuild this nation.

This bill also makes the U.S. more energy independent by investing in energy efficiency, including for consumers of natural gas, home heating oil, and propane. We know that comprehensive energy efficiency programs can help households save money on energy. I thank the Chairman for providing states with greater flexibility to use allowances under the SEED Program to expand existing cost-effective efficiency programs. And for including a provision I cosponsored with my colleague RUSH HOLT, to jumpstart important research on consumer behavior, energy conservation and efficiency. Moving forward, I hope we will strengthen the combined energy efficiency and renewable energy standard, to maximize efficiency and investments in clean technologies like wind, solar, geothermal, and biomass.

Madam Speaker, this bill is a significant step towards a better future, and a major break from the past eight years of ignoring our energy crisis. For the first time, it would create a system of clean energy incentives designed to jumpstart the economy and reduce the carbon pollution that causes global warming.

Make no mistake—the effects of global warming are visible here and now. In my home state of Connecticut, global warming is a threat to our health, our wetlands, our lobster fisheries, and our economy. This bill is our chance to mitigate that threat—a chance that will not come again soon.

Future generations are counting on us to do the right thing today—to set our country on a path towards a cleaner, more prosperous future. I urge my colleagues to support this bill.

APPLAUDING HON. EDOLPHUS TOWNS IN CELEBRATION OF FATHER'S DAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. RANGEL. Madam Speaker, I rise today to praise my fellow colleague, EDOLPHUS TOWNS, for his outstanding career on Capitol Hill within the House of Representatives, as well as his continuous role as a father. This week, the New York Carib News acknowledged the Congressman in ''Edolphus Ed Towns, Father and Lawmaker'' in an article on outstanding fathers. The article noted his 30 years as a member of Congress and recognized TOWNS as the proud father of two adult children, Darryl, a New York State assembly member and his daughter Diedre, a Senior Executive with the Pfizer Pharmaceutical Company.

Mr. TOWNS, who is a former social worker and community activist, is a 14-term veteran and currently chairs the Committee on Oversight and Government Reform. Mr. TOWNS was born on July 21, 1934 in Chadbourn, North Carolina and earned his bachelor's degree from North Carolina A&T State University. He holds a master's degree in social work from Adelphi University. Prior to serving in the House, Mr. TOWNS was a teacher in the New York City Public School System, and a professor at Fordham University as well as Medgar Evers College. He is also a veteran of the United States Army and an ordained Baptist minister.

Mr. TOWNS continues to be dedicated and committed to serving his constituents within the 10th Congressional District of New York, which encompasses a variety of Brooklyn's diverse population. Mr. TOWNS also continues to be an advocate for adequate public health care, as well as equal access to quality public education and technology and financial security.

As a father, Mr. TOWNS strived to instill values in his children, as well as being fully invested in teaching them important life lessons by assuring the family spent time and had meals together. Mr. TOWNS understood the important role that fathers have in a child's life and cherishes the significance of sharing life experiences, which he attributes to his children's success in their personal and public lives. As an example, Mr. TOWNS and his son, Darryl, are the first African-American father-son team to serve simultaneously in New York public office.

Fatherhood is filled with many joys and challenges, and therefore, I applaud EDOLPHUS TOWNS for his continued commitment to his family as well as for his public service. I have thoroughly enjoyed working with my colleague and I commend him for his leadership.

EARMARK DECLARATION

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mrs. EMERSON. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information in regards to H.R. 2997, the Fiscal Year 2010 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010

Requesting Member: JO ANN EMERSON

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture—SRG

Legal Name of Requesting Entity: University of Missouri-Columbia

Address of Requesting Entity: 101 Park DeVille Drive, Suite E, Columbia, MO

Description of Request: Provide $1,139,000 for the Food and Agriculture Policy Research Institute to provide objective, quantitative economic analysis of agricultural policy alternatives. Approximately $188,000 or 17% is to continue a cooperative agreement with the University of Wisconsin relating to dairy policy; $140,000 or 12% is to conduct analysis of rangeland, cattle and hay with the University of Nevada—Reno; $811,000 or 71% is to be divided between the University of Missouri and Iowa State University to provide a ten-year baseline and policy analysis for US and world agriculture.

Requesting Member: JO ANN EMERSON

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture—SRG

Legal Name of Requesting Entity: University of Missouri-Columbia

Address of Requesting Entity: 101 Park DeVille Drive, Suite E, Columbia, MO

Description of Request: Provide $595,000 for the Food and Agriculture Policy Research Institute (FAPRI) and the Agricultural and Food Policy Center (AFPC) to provide Congress with information regarding farm financial risk and farm structure and the impacts of alternative agricultural policies on these factors. Approximately $244,000 or 41% is for FAPRI at the University of Missouri to provide stochastic and deterministic baseline and policy scenarios and $351,000 or 59% is for AFPC at Texas A&M University to provide representative farm analysis.

Requesting Member: JO ANN EMERSON

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture—SRG

Legal Name of Requesting Entity: University of Missouri-Columbia Delta Research Center

Address of Requesting Entity: Highway 61, Portageville, MO 63873

Description of Request: Provide $174,000 for the University of Missouri—Delta Research Center to continue research on rice production in the mid-South. Approximately $140,610 will be for multiple personnel costs, $29,000 for materials and supplies, and $5,000 for other costs.

Requesting Member: JO ANN EMERSON

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture—SRG

Legal Name of Requesting Entity: University of Missouri-Columbia

Address of Requesting Entity: 214 Middlebush Hall, Columbia, Missouri 65211

Description of Request: Provide $835,000 for the Rural Policies Institute to provide unbiased analysis and information on the challenges, needs, and opportunities facing rural people and places; and to spur public dialogue and help policymakers understand the impacts of public policies and programs on rural people and places. Of the $835,000, $600,000 is for salaries and benefits, and the remaining $135,000 is for center investments, conferences and events, consultants, office expenses and travel.

Requesting Member: JO ANN EMERSON

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture—SRG

Legal Name of Requesting Entity: University of Missouri-Columbia Delta Research Center

Address of Requesting Entity: Highway 61, Portageville, MO 63873

Description of Request: Provide $556,000 for continued soybean cyst nematode research at the University of Missouri—Delta Research Center. Of the $556,000, 85% is for salaries and benefits, the remaining 15% is for travel, supplies, and costs for a winter seed nursery.

Requesting Member: JO ANN EMERSON

Bill Number: H.R. 2997

Account: Animal and Plant Health Inspection Service—Salaries and Expenses

Legal Name of Requesting Entity: Bootheel Resource Conservation and Development, Inc.

Address of Requesting Entity: 18450 Ridgeview Lane, Dexter, MO 63841

Description of Request: Provide $207,000 to the USDA–APHIS–Wildlife Services in Southeast Missouri. Of the $207,000, 80% would be utilized for salaries and benefits, 17% for APHIS–Wildlife Services program support and 3% for vehicle maintenance and fuel. A portion of the operating budget will also be provided by local municipalities, commodity organizations and university support.

Requesting Member: JO ANN EMERSON

Bill Number: H.R. 2997

Account: General Provision

Legal Name of Requesting Entity: Congressional Hunger Center

Address of Requesting Entity: Hall of States Building, 400 North Capitol Street, N.W., Suite G100, Washington, DC 20001

Description of Request: Provide $2,500,000 for the Bill Emerson National Hunger Fellowship Program and the Mickey Leland International Hunger Fellowship Program. Of the $2,500,000 in funding 54% would be for salaries, benefits, healthcare and other costs associated with the Emerson National Hunger Fellowship Program and 46% for similar costs associated with the Mickey Leland International Hunger Fellowship Program.

Requesting Member: JO ANN EMERSON

Bill Number: H.R. 2997

Account: Agriculture Research Service—Salaries and Expenses

Legal Name of Requesting Entity: University of Missouri Center for Agroforestry

Address of Requesting Entity: 203 Anheuser-Busch Natural Resources Building, Columbia, Missouri 65211

Description of Request: Provide $660,000 to support research on viable alternative production and protection options to help revitalize the economic and environmental health of rural farms and communities in Missouri and surrounding states. Approximately, $438,882 [or 66%] is for salary and fringe to support professional track faculty, research associates, field research specialists, graduate and undergraduate students; $201,982 [or 31%] for materials and supplies in support of laboratory and field-based research on campus and at five MU farms and centers; $19,137 [or 3%] for travel.

Requesting Member: JO ANN EMERSON

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture—Research and Education Activities

Legal Name of Requesting Entity: Center for Grapevine Biotechnology at Missouri State University

Address of Requesting Entity: 9740 Red Spring Road, Mountain Grove, Missouri 65711

Description of Request: Provide $422,000 to research the ability of wild grapevines to defend themselves against pathogens, and their capacity to synthesize health-promoting properties. Of the funds available 46% for salary and benefits, 21% for other direct costs including materials and supplies, and 25% for F&A.

EARMARK DECLARATION

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. SHIMKUS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of HR 2997.

Requesting Member: JOHN M. SHIMKUS

Bill number: HR 2997

The Account: Agriculture Salaries and Expenses

Requesting Entity: National Corn-to-Ethanol Research Center (NCERC) at 400 University Park Dr in Edwardsville, IL.

NCERC is the only pilot plant facility in the world that has the flexibility to process any grain based feedstock to fuel ethanol and associated products. Funding will go toward the research at NRERC which is needed to reduce our reliance on foreign sources of energy.

THE 100TH BIRTHDAY OF MR. JESUS GONZALEZ VILLAGOMEZ

HON. SOLOMAN P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. ORTIZ. Madam Speaker, I rise today to recognize Mr. Jesus Gonzalez Villagomez, who celebrated his 100th birthday on May 5, 2009, surrounded by family, friends and loved ones.

Mr. Villagomez was born on May 5, 1909, in Villa Morelos, Michoacán, Mexico, to a ranching and farming family—Telesforo and Antonia Gonzalez Villagomez.

When he turned 18, he migrated to the United States entering at the Port of Brownsville in Brownsville, Texas, and a few years later returned to Mexico where he met and married his life-long companion, Mariana Aguillon Villagomez. Mr. Villagomez and his

wife returned to the United States and settled in Fargo, North Dakota.

He joined the United States Army at Kelly Air Force Base in San Antonio, Texas, during World War II and was honorably discharged. Mr. Villagomez would go on to make a name for himself holding position with the Union Pacific Railroad and the Armour Meat Packing Company in Fargo, North Dakota, where he retired from.

He is fluent in English and Spanish and has a true love and passion for education. He has a son, Jesse Villagomes, Jr., of Ft. Worth, Texas, and a daughter, Maria Antonieta Villagomez, of Corpus Christi, Texas, as well as four grandchildren and three great grandsons.

Mr. Villagomez's hobbies include: gardening, cooking, reading, dancing and traveling.

Today, I ask that my colleagues join me in celebrating the 100th birthday of Mr. Jesus Gonzalez Villagomez who has lived a happy life and surrounded by family, friends and loved ones.

HONORING JAMES C. KERNAN, JR.

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mrs. McCARTHY of New York. Madam Speaker, I rise to honor James C. Kernan Jr. for his contribution to both our government and local community. Through his commitment to serving others, Mr. Kerman has affected the lives of many, both nationally and locally. For these reasons and many others, I believe he is worthy of recognition.

As a dedicated member of United States Army, James received numerous accolades commemorating his outstanding bravery. Among his many distinctions, James was awarded the Kuwait Liberation Medal, the Southwest Asia Service Medal with two bronze stars, the Humanitarian Service Medal, and the National Defense Service Medal with a bronze star. After leaving the Army, Mr. Kernan continued to serve his country by enlisting in the Army Reserves. For years, James would travel from his home on Long Island to Utica, NY to train at the Elihu Root Army Reserve Center. Once again, James excelled, earning five separate Army Reserve Component Achievement Medals. I am proud to honor James for his 26 years of service in our Armed Forces.

Mr. Kernan's exemplary dedication does not end with his military record. Prior to his retirement in January, James spent thirty-five years as an employee of the Internal Revenue Service. Throughout his tenure, he was promoted through the organization, and received thirteen distinct awards for his accomplishments.

Apart from his lifetime of public service, Mr. Kernan is an invaluable asset to his community. While raising his two sons on Long Island, James, and his wife Ruth, organized countless fundraisers and community events. They dedicated themselves to parent associations, the Our Lady of Victory Elementary School, and the Notre Dame Convent, and accepted the presidency of the Trinity Parents' Club at Holy Trinity Diocesan High School. Mr. Kernan's life's work is a testament to his commitment to developing a strong and healthy community for his children and others, James even acted as a volunteer referee for local little league games. Our children represent our future, and James has touched the lives of generations to follow.

The work of Mr. Kernan is inspiring, and I am grateful to him for all that he has accomplished. It is the through the efforts of individuals such as James Kernan that our nation remains strong and prosperous. I ask my colleagues to join me in expressing the gratitude of the U.S. Congress for his contributions to society.

TRIBUTE TO DAVID MUHLENDORF

HON. PARKER GRIFFITH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. GRIFFITH. Madam Speaker, I rise today to congratulate Mr. David Muhlendorf, President and CEO of Paper and Chemical Supply, on his recent appointment to the U.S. Chamber Board of Directors.

Throughout the years, David's dedication and commitment to the success of north Alabama have directly contributed to my district's economic success. Small business has always served to be the backbone of our nation, and Mr. Muhlendorf's presence on the national economic stage will prove to be a great benefit to our country.

Earlier this year, David was named the 2008–2009 Shoals Citizen of the Year for his development work with the Chamber of Commerce of Northwest Alabama. He has also worked tirelessly for the area's education system with the Northwest Shoals Community College Board of Directors, for our local charities with the Shoals United Way, and for my State's economic development with the Business Council of Alabama.

Madam Speaker, I wish to congratulate Mr. David Muhlendorf for his new appointment and thank him for his diligent and determined work for the Tennessee Valley, the State of Alabama and our country.

EARMARK DECLARATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. CONAWAY. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding authorizations I requested and were included as part of H.R. 2647, National Defense Authorization Act for fiscal year 2010.

A request for the Marksmanship Skills Trainer. The funding would be used for procuring a portable self contained system that allows for multiple scenarios from training to combat skills. This is a multiple user system allowing for high output during times of training constraints. The trainers will be stationed at the various Texas Army National Guard facilities allowing for maximum use for the soldiers. The system allows for ongoing marksmanship training in a simulated environment without the expenditure of ammunition or need to travel to a weapons range. The entity to receive funding for this project is the Texas National Guard, 2200 West 35th Street, Austin, TX 78763.

A request for the Mobile Firing Range. The mobile firing range is a self contained range that allows for the firing of pistol and rifle systems for the Texas National Guard. Currently there is no opportunity to fire weapons for training or qualification without traveling to a certified range on a military installation. The Texas Army National Guard currently does not have access to any indoor ranges that can be used to fire the M16/M4 which is the current armament for 90% of the soldiers within the Texas Army National Guard. The Mobile Firing Range will allow soldiers to train with their assigned weapons at home station. This system is a training and force multiplier due to the negation of travel and lodging, and staging needed when conducting this training on a military facility. The entity to receive funding for this project is the Texas National Guard, 2200 West 35th Street, Austin, TX 78763.

A request for the Visual Door Gunner Trainer (VDGT). The funding would be used for procuring a VDGT device that provides door gunnery and crew coordination training for UH–60 Blackhawk crewmembers. The VDGT also incorporates precision gunnery training to improve target engagement skills. This system is mobile and can be moved between Texas Army National Guard aviation facilities that have UH–60s. The system enables crews to train without leaving home station or flying additional hours. The entity to receive funding for this project is the Texas National Guard, 2200 West 35th Street, Austin, TX 78763.

A request for the Field Deployable Hologram Production System. The funding would be used for completing development of a compact production unit that produces 3D holographic imagery for mission planning and intelligence purposes for U.S. forces in Iraq and Afghanistan. The U.S. Army requests a self-contained, field-deployable EHI production system to accelerate imagery delivery to combat forces. The goal is a more efficient, cost effective production system that provides the deployed war fighter needed planning and intelligence capabilities on a much faster basis. The entity to receive funding for this project is Zebra Imaging, Inc, 9801 Metric Blvd, Austin, TX 78758.

A request for the Compact Pulsed Power Initiative. The funding would be used for the development of explosive- or battery-operated, compact, high-power radiation sources and associated antenna systems capable of destroying electronics used for radars, communications, computer, or remote detonation devices, and others that can disable car engines. The information gained from this research will be significant in furthering our nation's defense capabilities especially in the area of disabling and destroying IEDs. The research for this project will be conducted by Texas Tech University, 2500 Broadway (mail stop 3121), TX 79409.

A request for the Modular Shoot House. The funding would be used for procuring a self contained combat scenario system for team training in a safe 360 degree ballistic, combat simulated environment. The Modular Shoot House (MSH) will be placed on Texas Army National Guard training facilities as determined by training needs of the geographic regions in the state. New combat training tasks will be

exercised using the MSH by multiple units who have building clearing as part of their mission essential tasks. There is currently no Texas Army National Guard controlled MSH. The addition of this system will greatly enhance training and readiness prior to unit deployment. The entity to receive funding for this project is the Texas National Guard, 2200 West 35th Street, Austin, TX 78763.

Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 2997–Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

A request to Cooperative State Research, Education and Extension Service (CSRESS), Special Research Grants Account, to the Animal Fiber Research Program. This funding would assist in the ongoing Wool Research Program. This program is a partnership between the Texas Agriculture Experiment Station in San Angelo, TX, New Mexico State University and Montana State University. This program helps enhance the quality and quantity of wool and mohair produced in this country. In addition, significant efforts are being made to work with small ruminants as a means to control invasive brush which is a major issue in many parts of Texas degrading rangelands and taking precious water. The project is located at 7887, U.S. Highway 87N, San Angelo, Texas, 76901.

A request to Cooperative State Research, Education and Extension Service (CSRESS), Special Research Grants Account to continue partial funding of the state of the art multidisciplinary research approach at the International Cotton Center at Texas Tech University. The International Cotton Center conducts cotton research programs for cotton production systems and provides market and policy analysis for natural fibers (cotton, wool, and mohair) in an effort to increase profitability and maintain viability of all segments of the U.S. cotton industry in an increasingly competitive and volatile international market. The project research would be centrally located at Texas Tech University, located at 2500 Broadway, Lubbock, Texas 79409.

A request to Cooperative State Research, Education and Extension Service (CSRESS), Special Research Grants Account, to continue partial funding for the Center for Food Industry Excellence at Texas Tech University. The Center for Food Industry Excellence is a federal and state supported program that conducts systematic development and evaluations of production, processing and preparation methods of food products to achieve a safer and more nutritious food supply. The project research would be centrally located at Texas Tech University, located at 2500 Broadway, Lubbock, Texas 79409.

BRONX COMMUNITY COLLEGE (BCC))

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. RANGEL. Madam Speaker, I rise today to pay tribute to the opportunities Bronx Community College (BCC) has afforded its students for over half a century. This week, the New York Carib News acknowedged the most recent graduation at the school with a story in its June 23, 2009 edition entitled the ''Spirited Commencement on Historic Field.'' For the graduation, thousands gathered on Ohio Field to watch BCC's graduating class of 2009 receive their degrees. Dedicated to serving its students through academics, leadership, and a commitment to service, BCC has done a remarkable job of producing talented individuals from all backgrounds. Approximately fifty-five percent of graduates are first generation college students and twenty-five percent balance school with work and family lives. Even more significant is the forty-four percent of students who come from households with an income of less than $15,000 per year. Bronx Community College is doing extraordinary things for a culturally diverse population of students, and deserves to be recognized for its years of commitment to this initiative.

This year, BCC graduated approximately 1,000 students who were prepared to enter the work force to begin careers in areas from medical office technicians to students who will receive full scholarships to complete their studies at four-year undergraduate institutions. Not only does such success among its students provide BCC with a strong alumni base, it also sets an incredibly strong example for both youth and adults in the surrounding area who have ever had doubts about their abilities to advance their education. The beauty of this institution is that it cultivates the dreams of those who want better careers and lives for themselves and their families. The Bronx Community College welcomes untraditional paths to education, and provides its students with the resources, motivation, and encouragement to succeed.

The continued pursuit of education and personal advancement even in such challenging economic times speaks volumes to the commitment of the Bronx Community College. This school confirms the validity of such public institutions and deserves to be recognized as a force of motivation in the Bronx community and a source of inspiration for anyone who dreams of succeeding.

TRIBUTE TO MONSIGNOR EUGENE M. BOLAND

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. PASCRELL. Madam Speaker, I would like to call to your attention the work of an outstanding individual, Monsignor Eugene M. Boland, who was recognized on Sunday, June 28, 2009, on the occasion of his retirement.

It is only fitting that he be honored in this, the permanent record of the greatest democracy ever known, for he has been a true public servant and someone whose spiritual commitment has enhanced countless lives.

Eugene M. Boland was born on May 12, 1939, in the Village of Eyrecout, County Galway, Ireland, one of three sons of John and Nora (Potter) Boland. One of his brothers, Monsignor John V. Boland, is the pastor of St. Francis de Sales Church in Vernon Township, NJ. The other, Eamon, and his wife Mai and their four children reside in Castlecomer, County Kilkenny, Ireland. Young Eugene attended the local convent school until second grade, and then continued on at the local boys school until he was thirteen. He began his secondary education (high school) at St. Joseph's College, Ballinasloe, in 1952, and then went on to St. Patrick's Seminary in Carlow in the fall of 1957. He was ordained to the priesthood at the Cathedral in Carlow on June 8, 1963.

Father Boland came to this country on August 16, 1963, and was temporarily assigned to St. Vincent the Martyr Parish in Madison. On October 8th of that year, he was given a permanent assignment as associate pastor at St. George's Church in Paterson, where he would serve with Monsignor Joseph Brestle and Father Julian Varettoni. On June 29, 1971, he was assigned, with Monsignor Michael F. Hart as Pastor, to St. James of the Marches Church in Totowa, NJ, where he has remained ever since. He has served with many parochial vicars including Father Francis J. Duffy, Father Dennis O'Brien, Weekend Associate Father James Dolan, S.J., Father Paul Iovino, Father Joseph E. Murphy, Father Marc Mancini, Father James P. Bono, Father Damian Breen, O.S.B. Father Nicholas Gregoris and Father James Cerbone, S.D.B.

Monsignor Hart was called from this life on June 18, 1990, and soon after Father Boland was appointed as Pastor of St. James. On October 10, 1993, he was honored with the title of Monsignor.

During his time at St. James alone, Monsignor Boland baptized 1,364 infants, witnessed 470 marriages, administered First Eucharist to 2,864 children, attended 37 confirmations, and grieved with 1,249 families. He has made innumerable sick calls and communion visits. Over the 37 years he has served there, he has been involved in many activities of the Parish and of the greater Totowa community as well. He has attended not only graduations, Religious Education Classes and Rosary Altar Society meetings and events, but walked 37 May Crownings, attended 37 swearing in ceremonies for the Totowa Borough Council, and countless Boy and Girl Scout and Knights of Columbus events. He is the Chaplain of the Totowa Fire Department and was Dean of the Mid-Passaic Deanery for ten years beginning in February 1995.

Throughout his years of service, Monsignor Boland has helped to deepen the faith of many, and teach them more about their religion. His dedication to learning and expanding his own knowledge is exemplary.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to learning about and recognizing the efforts of individuals like Monsignor Boland.

Madam Speaker, I ask that you join our colleagues, Monsignor Boland's family and friends and parishoners, all those who have been guided by him, and me in recognizing the outstanding and invaluable service of Monsignor Richard A. Boland.

CONGRATULATING ALEC KOHLI FOR EARNING THE CONGRESSIONAL AWARD GOLD MEDAL

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. MITCHELL. Madam Speaker, I rise today to congratulate Alec Kohli, a resident of Scottsdale, Arizona, and a constituent of my district. Alec has earned The Congressional Award Gold Medal, the United States Congress' award for young Americans. The Congressional Award recognizes outstanding young people from all over the nation, and Alec has gone above and beyond by committing a tremendous amount of time and effort to attain the Award's highest ranking possible—the Gold Medal.

In order to be considered for the Congressional Award, individuals must achieve goals set in four exclusive program areas: Voluntary Public Service, Personal Development, Physical Fitness, and Expedition or Exploration. Alec has excelled in all areas, first completing over 400 hours of Voluntary Public Service by participating as an Environmental Proctor at Exeter Academy, as a youth mentor to underprivileged youth, and as an Eagle Scout. For Personal Development, Alec attended a five-week summer program at Stanford University, where he worked on improving his math and analytical abilities as well as his leadership and time management skills. In the Physical Fitness category, Alec focused on sports and fitness activities, and measured his progress over a three-year training period by his ability to run one mile in six minutes and forty-five seconds. Finally, for his Expedition, Alec attended Camp Philmont in the mountains of New Mexico.

Alec is an exceptional young man, and sets a great example for Arizona's youth. I would like to express my appreciation for his contributions to the community, and I hope you will join me, Madam Speaker, in congratulating Alec on his phenomenal accomplishments.

RETIREMENT OF MR. GEORGE DALLEY

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Ms. FUDGE. Madam Speaker, I am pleased to congratulate Mr. George Dalley on his exemplary service to the United State House of Representatives. Mr. Dalley is retiring this year after thirty years of service to Chairman RANGEL. Throughout his tenure in Congress, Mr. Dalley provided a wealth of information to CBC members and was a strong advocate for a more responsive approach to Africa, the Caribbean, and Central America.

Having an informed, passionate and committed staff makes a significant difference for a Member of Congress. Mr. Dalley has been such a staffer for Chairman RANGEL. As a journalist once wrote, "Dalley is the guy in Rangel's office who sees every piece of paper the boss sees. He's the one Rangel seeks out when he needs an answer." The trust and collegiality between these two men is indeed a rare and valuable commodity.

Even in his well-deserved retirement, I am sure he will maintain a busy schedule advocating for the causes in which he so passionately believes. As Mr. Dalley continues to raise his voice in support of human rights around the world, I wish him the best in his retirement from the House of Representatives.

EARMARK DECLARATION

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

I requested two projects in H.R. 2997.

$300,000 for the University of Florida's Institute of Food and Agriculture Sciences Shellfish Aquaculture Development Program and the Cedar Key Aquaculture Association located at P.O. Box 89, Cedar Key, FL 32625. These funds will be used to conduct multi-disciplinary research into struggling aquaculture programs.

$1,033,000 for the study of Subtropical Beef Germplasm by the SubTropical Agricultural Research Station located at 22271 Chinsegut Hill Road, Brooksville, FL 34601. The 3800 acre USDA research facility conducts multidisciplinary research aimed at boosting efficiency, safety and environmental responsibility for the cattle industry of Florida and the southeast.

EARMARK DECLARATION

HON. HENRY E. BROWN, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. BROWN of South Carolina. Madam Speaker, I submit the following:

Requesting Member: HENRY E. BROWN, Jr.

Bill Number: H.R. 2892, Department of Homeland Security Appropriations Act, 2010

Account: FEMA, State and Local Programs

Legal Name of Requesting Entity: Dorchester County

Address of Requesting Entity: 201 Johnston Street, St. George, SC 29477

Description of Project: Construct and equip a new emergency operations center to enhance response by first responders and survivability of critical equipment in a county that contains significant critical infrastructure, including I–26, and is in close proximity to Charleston's military bases and ports.

Requesting Member: HENRY E. BROWN, Jr.

Bill Number: H.R. 2996, Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010

Account: National Park Service, Save America's Treasures

Legal Name of Requesting Entity: Dorchester County

Address of Requesting Entity: 201 Johnston Street, St. George, SC 29477

Description of Project: Repairing standing wooden tents at this historic meeting compound that were damaged as a result of arson, and facilities upgrades allowable under program rules; Cypress Historic Meeting Compound, which was founded in 1794, is on the National Register of Historic Places and has been recognized as one of the last "Great Awakening" religious compounds. National Register Number: 78002504.

Requesting Member: HENRY E. BROWN, Jr.

Bill Number: H.R. 2997, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010

Account: National Institute of Food and Agriculture, SRG

Legal Name of Requesting Entity: Clemson University

Address of Requesting Entity: 201 Sikes Hall, Clemson, SC 29634

Description of Project: Funds will be used to support the continued development of fruit tree genomics at Clemson University that currently underpins the future of competitive specialty crop agriculture in South Carolina and the U.S. This work identifies, characterizes and manipulates the genes and gene actions that control: the normal growth and development of fruiting trees, natural resistance genes to both abiotic and biotic stresses, genes that influence the progression of disease in the trees (e.g. peach tree short life), and genes controlling quality and yield of fruits. This research provides the pipeline for future fruit tree improvement and sustainability. Clemson is at the heart of fruit tree genomics research in the U.S. Project has been funded in past appropriations acts.

EARMARK DECLARATION

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. CRENSHAW. Madam Speaker, I rise today to submit documentation consistent with the Republican Earmark Standards.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 2997—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010

Account: Cooperative State Research Education and Extension Services (CSREES)

Legal Name of Receiving Entity: University of Florida—Institute of Food and Agricultural Sciences (UF–IFAS)

Address of Receiving Entity: 700 Experiment Station Rd., Lake Alfred, FL 33850

Description of Request: I have secured $1,217,000 in funding in H.R. 2997 in the Cooperative State Research Education and Extension Services Account for University of Florida—Institute of Food and Agriculture Sciences.

The purpose of this funding is support the continuing citrus canker and greening research by UF–IFAS to improve technologies for treatment and detection, methods of movement and containment, and means to control and eliminate these devastating citrus diseases.

Federal funding, in addition to state and grower contributions will help improve technologies for treatment and detection, methods

of movement and containment, and means to control and eliminate devastating citrus diseases and disease vector.. This project is eligible to receive a federal grant under the Department of Agriculture, Cooperative State Research Education and Extension Services (CSREES) Account.

PERSONAL EXPLANATION

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. SULLIVAN. Madam Speaker, I rise to state for the record that I was on an official leave of absence from the U.S. House of Representatives on the account of illness and unable to vote on rollcall vote No. 328 to H.R. 2410 taken on June 10, 2009. Had I been present for this vote, I would have voted nay.

As an ardent supporter of the unborn, I am strongly opposed to this legislation, which among many issues created an Office of Global Women's Issues that could advocate for abortions around the world. I believe that life begins at conception and could not support this legislation without safeguards that ensure that abortion is not promoted.

EARMARK DECLARATION

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. DENT. Madam Speaker, pursuant to the House Republican Leadership standards on earmarks, I am submitting the following information regarding a project that is listed in H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, FY2010:

Bill Number: H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, FY2010

Account: National Institute for Food and Agriculture, SRG

Title: Sustainable Agriculture and Natural Resources

Legal Name of Requesting Entity: Pennsylvania State University

Address of Requesting Entity: 117 Old Main, University Park, PA 16802

Description of Request: Funding for this project will support a collaborative research and education program between the Pennsylvania State University and the Rodale Institute that will help diverse farm operations better adopt sustainable farming practices. The project will increase field research and demonstration to enhance the exposure of farm advisors and farmers to sustainable cropping system practices. Practices to be further investigated and field-demonstrated include: crop species and cultivars for inclusion in crop rotations that improve the performance of sustainable and organic cropping systems, especially for the Northeast; fine-tuning of management guidelines for mechanical control of cover crops and weeds in conservation and no-tillage systems to reduce or eliminate herbicides; factors that better promote conservation of biological control organisms and beneficial soil microorganisms for weed seed predation and management of other pests; and practices that increase soil organic matter.

EARMARK DECLARATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. COLE. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010

Requesting Member: Congressman TOM COLE

Bill Number: H.R. 2997

Provision: Title I

Account: National Institute of Food and Agriculture—Extension

Legal Name of Requesting Entity: "Oklahoma State University"

Address of Requesting Entity: 107 Whitehurst Hall, Stillwater, OK 74078

Description of Request: Provide an earmark of $209,000 to fund the Pilot Technology transfer services and engineering assistance to small, rural manufacturers with the goal of improving their profitability and enhancing the economy in rural communities. More specifically, 25 percent of these funds be used for Oklahoma State University's Corporate Extension office to fund the salary and benefits for one Applications Engineer, 25 percent of the funds would fund the Rural Enterprises Institute, and 50 percent of the funds would fund a companion program at Mississippi State University.

Requesting Member: Congressman TOM COLE

Bill Number: H.R. 2997

Provision: Title I

Account: National Institute of Food and Agriculture—Special Research Grants

Legal Name of Requesting Entity: "Oklahoma State University"

Address of Requesting Entity: 107 Whitehurst Hall, Stillwater, OK 74078

Description of Request: Provide an earmark of $223,000 for the expanded Wheat Pasture project to develop science and technologies, uniquely adapted wheat varieties, decision-support economic models, and extension education programs to increase profitability of the many dual-purpose wheat enterprises (i.e. wheat grain and stocker cattle) in Oklahoma and the southern Great Plains and strengthen the economies of rural communities. More specifically, 60 percent will be used for staff salaries to conduct the program; 33 percent will be for the annual land lease where field trials are conducted; and 7 percent will be used for field supplies, vehicles and maintenance and other miscellaneous expenses.

Requesting Member: Congressman TOM COLE

Bill Number: H.R. 2997

Provision: Title I

Account: National Institute of Food and Agriculture—Special Research Grants

Legal Name of Requesting Entity: "City of Norman, Oklahoma"

Legal Name of Requesting Entity: "Oklahoma State University"

Address of Requesting Entity: 107 Whitehurst Hall, Stillwater, OK 74078

Description of Request: Provide an earmark of $177,000 for the Integrated Production Systems for Alternative Crops to develop and refine crop management techniques that enable environmentally sound and economically feasible production of alternative crops that will best utilize natural resources as they produce organically grown vegetable crops and crops for the bio-fuel industry. The research and educational program includes organic production practices, pest management strategies and weed control using organically approved practices and chemical agents. The work is conducted at the Agricultural Research and Extension Center in Lane, Oklahoma. All the funding will be used for the technician, researcher and student salaries needed to carry out the program.

EARMARK DECLARATION

HON. DEAN HELLER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. HELLER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010:

Requesting Member: Congressman DEAN HELLER

Bill Number: H.R. 2997

Account: Natural Resources Conservation Service—Conservation Operations

Legal Name of Requesting Entity: Carson City, Nevada

Address of Requesting Entity: 201 N. Carson Street, Suite 2, Carson City, NV 89701

Description of Request: $375,000. Carson City suffered a devastating wildfire in July 2004. Over 8,700 acres reaching across the entire west side of Carson City were burned. This devastation removed all vegetation, and destroyed a large stand of timber. The eastern flank of the Sierras remains burned and barren. These mountains are extremely steep, and severe erosion continues to occur. Carson City therefore faces threats from flooding and potential debris flows, as well as severe damage to surface water supplies. This federal funding will help to continue critical reforestation work, which is necessary to control erosion, prevent flooding, and restore the areas destroyed by the fire.

EARMARK DECLARATION

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. GOHMERT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding funding received in my district as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

Stephen F. Austin Medicinal and Bioactive Crop Research Project. Stephen F. Austin State University, Box 6078 SFA Station, Nacogdoches, Texas 75962, $280,000, in the National Institute of Food and Agriculture RE/FA account, for the continuation of medicinal and bioactive crop research at the National Center for Pharmaceutical Crops. The initiative seeks to discover anti-cancer agents from plants and develop new crops for securing nationally strategic pharmaceuticals. Successful implementation of this research will improve human health, secure the U.S. supply of critical pharmaceuticals that currently come from foreign suppliers, and establish high value crops to revitalize the U.S. rural economy, while ultimately saving and improving America's lives.

EARMARK DECLARATION

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. SULLIVAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure and certification information for two project funding requests that I made and were included within the text of H.R. 2847—The Commerce, Justice, Science, and Related Agencies Appropriations Act of 2010.

Project 1

Project: Law Enforcement Interoperability/Regional Expansion Project

Project Amount: $200,000

Account: COPS Technology

Legal Name of Requesting Entity: Tulsa Police Department

Address of Requesting Entity: 600 Civic Center, Tulsa, OK 74103

Description of Request: Funding will be used to greatly improve the efficiency and effectiveness of public safety services in the City of Tulsa, and surrounding area. It will promote greater cooperation, collaboration, and operations among municipal, county, state, railroad, and tribal law enforcement agencies in the Tulsa area. The system will enable better cooperation among law enforcement agencies as part of the project includes developing a wireless broadband network with Internet-based applications: e.g., enabling helicopter video of pursuit suspects to all patrol cars; quickly sharing suspect photographs with all local and surrounding agencies.

Project 2

Project: Bartlesville Police Department Mobile Data Technology

Project Amount: $800,000

Account: COPS Technology

Legal Name of Requesting Entity: Bartlesville Police Department

Address of Requesting Entity: 100 East Hensley Blvd, Bartlesville, OK 74003

Description of Request: Project improves community safety, enhances law enforcement's ability to prevent crime, decreases response times to emergency calls, and dovetails with Department of Homeland Security and Department of Justice initiatives to help coordinate information sharing between agencies.

EARMARK DECLARATION

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. KING of New York. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2892—the Department of Homeland Security Appropriations Act, 2010.

Requesting Member: Congressman PETER T. KING

Bill Number: H.R. 2892

Account: Domestic Nuclear Detection Office

Legal Name of Requesting Entity: New York City Police Department

Address of Requesting Entity: 1 Police Plaza, New York, NY 10038

Description of Request: $40 million will be used to pay for the implementation of a unified strategy for defending the New York City region, including the surrounding New York, New Jersey, and Connecticut jurisdictions, against radiological and nuclear threats. The program, sponsored by the Department of Homeland Security's Domestic Nuclear Detection Office (DNDO), is designed to create a detection and interdiction architecture for radiological materials.

EARMARK DECLARATION

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. BLUNT. 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. 2997, the Department of Agriculture Appropriations for Fiscal Year 2010.

Bill Number: H.R. 2997

Account: Natural Resources Conservation Service—Conservation Operations

Legal Name of Requesting Entity: Southwest Missouri Resource Conservation and Development, Inc.

Address of Requesting Entity: 283 US Highway 60 West, Republic, MO 65738

Description of Request: $287,000 is provided for the Upper White River Basin to provide additional conservation technical assistance to support the South Missouri Water Quality Project staff for a water quality program in southern Missouri. The Upper White River Basin is located in the Ozark Highlands region with approximately 6.8 million acres of the basin located in Missouri. Technical assistance includes forestry conservation, urban nutrient management and storm water planning, watershed planning and assessment, and water quality information and education activities. The use of taxpayer funds is justified because this watershed has experienced tremendous population growth in the last decade that has resulted in an increase in nonpoint source pollution pressure.

EARMARK DECLARATION

HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. BISHOP of Utah. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2996, the Interior-Environment Appropriations Act, 2010.

Requesting Member: ROB BISHOP

Bill number: H.R. 2996

Account: Land Acquisition

Legal name and address of requesting entity: Western Rivers Conservancy, located at 302 N. Last Chance Gulch, Ste. 404, Helena, MT 59601

Description of project: $500,000 to purchase a 700-acre property to add to the Bear River Migratory Bird Refuge.

Requesting Member: ROB BISHOP

Bill number: H.R. 2996

Account: Save America's Treasures

Legal name and address of requesting entity: Salt Lake City Mayor's Office, 451 South State St., SLC, UT 84114

Description of project: $150,000 to restore the Albert Fisher Mansion and re-landscape the grounds surrounding the building.

Requesting Member: ROB BISHOP

Bill number: H.R. 2996

Account: STAG Water and Wastewater Infrastructure Project

Legal name and address of requesting entity: Weber County, Utah, located at 2380 Washington Blvd, Ogden, Utah 84401

Description of project: $500,000 to assist in providing detention basins, improved canal development and maintenance, and culvert replacements to better handle capacity problems.

EARMARK DECLARATION

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 2997—Agricultural, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill, Fiscal Year 2010.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill number: H.R. 2997—Agricultural, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill, Fiscal Year 2010

Account: National Institute of Food and Agriculture, Research and Education Activities, Other Federal Administration

Legal name of requesting entity: Southeast Climate Consortium

Address of Requesting Entity: Florida State University, Tallahassee, FL 32306

Description of Request: I have secured $2,494,000 for the Southeast Climate Consortium Application of Climate Forecasts in the

Southeastern United States. The Consortium reduces economic risks and improves social well-being by providing climate information that is integral to agricultural decision-making. The program seeks to develop flood forecasting methods to help farmers and producers plan for reducing risks of economic losses and environmental damage; develop partnerships and methods for incorporating climate forecasts and other climate information into agricultural and water policy decisions; and begin development of a prototype decision support system for the application of climate forecasts to water resource management, especially for agricultural water use.

PERSONAL EXPLANATION

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. SULLIVAN. Madam Speaker, I rise to state for the record that I was on official leave of absence from the U.S. House of Representatives on account of illness and unable to vote on rollcall vote 420 to H.R. 1016 Veterans Health Care Budget Reform and Transparency Act of 2009 taken on June 23, 2009. Had I been present for the vote, I would have voted "aye."

I strongly support our nation's servicemen and women and their families and realize the debt of gratitude that our nation owes the men and women who defend our country. As Representative for the first Congressional District of Oklahoma, I remain committed to providing them with the resources necessary to ensure they receive the funding and care they deserve. My colleagues and constituents can rest assured that I will continue to support initiatives which ensure those who serve our country to guard our freedom are treated with nothing less than the highest level of dignity and respect.

AMERICAN CLEAN ENERGY AND SECURITY ACT OF 2009

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 26, 2009

Mrs. MALONEY. Madam Speaker, today, our nation takes a historic step toward a clean energy economy. The American Clean Energy and Security (ACES) Act will revolutionize American energy policy, combat climate change, and provide a unique opportunity to revive our economy and create millions of clean energy jobs.

Some key provisions of the bill include a requirement for electric utilities to meet 20 percent of their electricity demand through renewable energy sources and energy efficiency by 2020, a cap-and-trade global warming reduction plan designed to reduce economy-wide greenhouse gas emissions 17 percent by 2020, and a new building efficiency standard requiring new buildings to be 30 percent more efficient by 2012 and 50 percent by 2016. These and other provisions will encourage new renewable requirements for utilities, studies and incentives regarding new carbon capture and sequestration technologies, energy efficiency incentives for homes and buildings, and grants for green jobs.

In my home state of New York, clean-energy investments will create tens of thousands of jobs. A total of $150 billion in clean-energy investments across the country is estimated to result in about $10 billion in investment revenue and 109,000 jobs in New York State. These additional jobs in the New York labor market would have brought the state's unemployment rate down to 4.3 percent from its actual 2008 level of 5.4 percent.

In addition to creating millions of new jobs, the ACES Act will make our nation more energy independent. Under this legislation, we can significantly reduce our dependence on foreign oil by promoting renewable energy, including wind, solar, geothermal, and biomass energy. New clean energy and energy efficiency technologies, along with more efficient vehicles, will also help reduce our need for oil.

Now, you'll hear some say that this bill will tax individuals for using energy. The truth is that the energy-efficiency and consumer protection provisions in the ACES Act will actually cut the electricity bill for an average New Yorker by around $5.60 every month. In these tough economic times, the ACES Act is both environmentally sound and economically responsible.

I thank Chairmen WAXMAN and MARKEY and Speaker PELOSI for their leadership in negotiating this important bill, and I am pleased to vote in favor of it.

EARMARK DECLARATION

HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. FORTENBERRY. Madam Speaker, pursuant to the Republican Leadership standards on member requests, I am submitting the following information regarding the earmarks I received as part of the FY10 Agriculture Appropriations Bill:

Requesting Member: Congressman JEFF FORTENBERRY

Bill Number: H.R. 2997, FY10 Agriculture Appropriations Bill

Account: Special Research Grants

Project Name: Drought Mitigation

Amount: $469,000

Name and Address of Requesting Entity: University of Nebraska-Lincoln located at 202 Agricultural Hall, Lincoln, Nebraska 68583

Description: This funding is for the National Drought Mitigation Center (NDMC) which conducts research and educational programs on drought mitigation and planning for drought. The project has assisted numerous states and municipalities in developing drought plans and implementing drought response action teams. The Center has received national visibility for providing information on the severity of drought throughout the United States. Both print and electronic mass media routinely use Center produced materials in their news stories on the drought.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. DUNCAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure information for project requests that I made and which were included within H.R. 2997, "Making appropriations for the Departments of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes."

Requesting Member: Congressman JOHN DUNCAN

Account: National Institute of Food and Agriculture—SRG

Project Amount: $1,000,000

Legal Name of Requesting Entity: University of Tennessee, 114 Morgan Hall, 2621 Morgan Circle, Knoxville, Tennessee 37996.

Description of Request: This funding will be used for producing crop plants that can be used directly as early-warning sentinels for the detection of plant diseases.

PERSONAL EXPLANATION

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. SULLIVAN. Madam Speaker, I rise to state for the record that I was on official leave of absence from the U.S. House of Representatives on account of illness and unable to vote on rollcall vote 460 to H.R. 2647, National Defense Authorization Act for Fiscal Year 2010 taken on June 25, 2009. Had I been present for the vote, I would have voted "aye."

I strongly support our nation's servicemen and women and their families and realize the debt of gratitude that our nation owes the men and women who defend our country. As Representative for the first Congressional District of Oklahoma, I remain committed to providing them with the resources necessary to ensure they receive the funding and care they deserve. My colleagues and constituents can rest assured that I will continue to support initiatives which ensure those who serve our country to guard our freedom are treated with nothing less than the highest level of dignity and respect.

HONORING THE LSU AGCENTER RICE RESEARCH STATION

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. BOUSTANY. Madam Speaker, I rise today to honor the LSU AgCenter Rice Research Station in Acadia Parish, Louisiana, situated 2 miles east of Crowley, which celebrated its 100th year in operation on July 1.

Since 1909, the Rice Research Station continues to provide invaluable information, innovative techniques and new varieties of rice to

help Gulf Coast rice farmers feed the world. Originally a partnership between Acadia Parish, the U.S. Department of Agriculture and the Louisiana State University Agricultural Center, it was the first experimental rice research station in the country.

Now operating under the LSU AgCenter, scientists and farmers work in tandem to contribute to improvements in rice growing. A significant part of the center's funding comes from the Louisiana Rice Research Board, which receives a voluntary payment from area rice sales to ensure the station's work continues.

Rice farmers along the Gulf Coast face difficult conditions as weather and disease can devastate even the most promising crop. However, Louisiana's agricultural communities persevere and possess a richness of culture matched by none. The state's rice industry added $550 million to Louisiana's economy in 2008 alone. Rice farming will continue to be a way of life for thousands in Louisiana thanks to the work done at the Research Station.

Again, congratulations to the LSU AgCenter Rice Research Station at Crowley, Louisiana, for helping rice farmers throughout the Gulf Coast for 100 years and counting.''

HONORING MECHANICVILLE HIGH SCHOOL SOFTBALL TEAM

HON. SCOTT MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. MURPHY of New York. Madam Speaker, I am honored to rise today to congratulate the Mechanicville High School Softball team who, in addition to winning an impressive five New York State titles in Class C this decade, have recently captured the Class B State Championship.

The Red Raiders faced tough competition, in addition to quite a bit of rain, to pull out a 3–1 victory against Fredonia at Waterloo High School. I would especially like to recognize the impressive performance of sophomore Anna Arcenaux, who allowed just one run while winning two games in the final four.

Arcenaux's efforts were aided by freshman Alysa Russell and sophomore Kelsey Hines, two of the team's most outstanding hitters. Leading Mechanicville's young team to victory was head Coach Dan Arcenaux, who will have the opportunity to repeat this success next year with the same roster of outstanding athletes.

On behalf of the citizens of the 20th District of New York, we congratulate the Mechanicville Red Raiders softball team and their coaches for an outstanding display of teamwork and athleticism.

EARMARK DECLARATION

HON. FRANK D. LUCAS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. LUCAS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $209,000 for the Pilot Technology Transfer project. This funding will be used to provide technology transfer services and engineering assistance to small, rural manufacturers with the goal of improving their profitability and enhancing the economy in rural communities.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $274,000 for the Animal Waste Management project. This funding will be used to develop sustainable, environmentally safe, and ecologically healthy animal waste management practices in semiarid ecosystems that contribute to economic development in rural communities.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $839,000 for the Biomass-based Energy Research project. This funding will be used to find an alternative to traditional fuel sources, and to enhance rural economic development through the use of plant materials. A consortium of three universities (Oklahoma State University, Oklahoma University, and Mississippi State University) is working to refine and commercialize a unique gasification-fermentation process utilizing biomass to produce liquid fuel.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $223,000 for the Expanded Wheat Pasture project. This funding will be used to develop science and technologies, uniquely adapted wheat varieties, decision-support economic models, and extension education programs to increase profitability of the many dual-purpose wheat enterprises.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $382,000 for the Food Safety project. This funding will be used to conduct research and testing to develop rapid and efficient methods for detecting and controlling food borne pathogens throughout the food chain from point of origin to consumption.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $177,000 for the Integrated Production Systems project. This funding will be used to conduct research to develop and refine crop management techniques that enable environmentally sound and economically feasible production of alternative crops that will best utilize natural resources as they produce organically grown vegetable crops and crops for the biofuel industry.

Requesting Member: Congressman FRANK D. LUCAS

Bill Number: H.R. 2997

Account: Cooperative State Research Education and Extension Service, Research and Education

Legal Name of Requesting Entity: Oklahoma State University

Address of Requesting Entity: 101 Whitehurst, Stillwater, Oklahoma, USA

Description of Request: I have received $174,000 for the Preservation and Processing Research project. This funding will be used to emphasize research, development and implementation of integrated cropping, harvesting, storage and processing systems to facilitate new crop endeavors and assist new business development, to maintain and improve profitability for horticulture.

PERSONAL EXPLANATION

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. SULLIVAN. Madam Speaker, I rise to state for the record that I was on an official leave of absence from the U.S. House of Representatives on the account of illness and unable to vote on rollcall vote 477 to H.R. 2454, the American Clean Energy and Security Act of 2009. Had I been present for this vote, I would have voted ''nay'' as the bill represents a partisan step in the wrong direction and a massive energy tax on the American people.

I was pleased to vote against H.R. 2454 when it was considered before the House Energy and Commerce Committee. Like many

Americans, I believe that we have a shared responsibility to work to ensure clean air, clean water and a healthy environment for today but also for future generations. However, we also know that the national energy tax proposal which passed the House is not the way to do it. Being good stewards of our planet should not be a partisan issue; it is something that benefits us all.

As I have said from the start, H.R. 2454 is nothing more than a backdoor attempt to implement a massive national energy tax that will result in higher energy prices, less jobs, and a greater dependence on foreign sources of oil. The oil and gas industry employs 1.8 million people across the nation and represents a large portion of the economy in my district. I cannot support any bill that will eliminate these jobs or ship them overseas.

I also remain deeply concerned that the bill, if enacted into law, will force American manufacturers and other energy intensive industries to relocate to other countries such as China or India. These counties are not subject to limits on greenhouse gas emissions, and H.R. 2454 would place the United States at a competitive disadvantage.

Families and small businesses already are struggling during this recession, and increasing their direct and indirect energy costs to the tune of thousands of dollars per year will only make matters worse. Given our troubled economy, Congress should reject plans for a national energy tax through this deeply flawed bill and work across party lines on a plan to create jobs, lower energy costs, and establish a cleaner, more reliable energy future.

EARMARK DECLARATION

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. EHLERS. Madam Speaker, pursuant to Republican Leadership standards, I am submitting the following information regarding projects I received funding for as part of H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for fiscal year 2010.

Requesting Member: Congressman VERNON J. EHLERS

Bill Number: H.R. 2997

Agency: National Institute for Food and Agriculture

Account: Special Research Grants

Legal Name of Requesting Entity: Michigan State University College of Agriculture and Natural Resources

Address of Requesting Entity: 102 Agriculture Hall, East Lansing, Michigan 48824

Description of Request: This bill provides $147,000 for Improving the Sustainable Production of Specialty Crops (Improved Fruit Practices). This grant is a valuable use of taxpayer money because the research will be used to assist growers in producing high quality fruit, dry beans, and sugar beets with environmentally sound, safe, and effective pest control methods and management approaches. Approximately, $91,140 is for salaries and expenses, and $55,860 is for lab maintenance and equipment. In addition to the federal funds provided by this grant, this research is supported by personnel, equipment, and facilities funded by the Michigan Agricultural Experiment Station and Michigan State University Extension.

Requesting Member: Congressman VERNON J. EHLERS

Bill Number: H.R. 2997

Agency: National Institute for Food and Agriculture

Account: Special Research Grants

Legal Name of Requesting Entity: Michigan State University College of Agriculture and Natural Resources

Address of Requesting Entity: 102 Agriculture Hall, East Lansing, Michigan 48824

Description of Request: This bill provides $346,000 for Controlling Fire Blight Disease of Apple Trees. This grant is a valuable use of taxpayer money because the research will be used to develop blight-resistant varieties and new, environmentally responsible control strategies to combat this disease. This grant will be split between Michigan (which receives approximately 36 percent) and New York (which receives approximately 64 percent). For Michigan, approximately $99,648 is for the salaries of laboratory and field research personal; and $24,912 is for materials and supplies. Michigan State University is working to obtain funding from the Michigan Apple Committee, the Michigan Agricultural Experiment Station, project GREEN, and from other industry sources.

Requesting Member: Congressman VERNON J. EHLERS

Bill Number: H.R. 2997

Agency: National Institute for Food and Agriculture

Account: Special Research Grants

Legal Name of Requesting Entity: Michigan State University College of Agriculture and Natural Resources

Address of Requesting Entity: 102 Agriculture Hall, East Lansing, Michigan 48824

Description of Request: This bill provides $266,000 for Sustainable Agriculture: Expanding and Refining the Ecosystem Base (Sustainable Agriculture). This grant is a valuable use of taxpayer money because the research will be used to assist farmers on sustainable agriculture practices, which will help farmers manage their crops for improved yields, while reducing fertilizer and pesticide use, and stemming nutrient losses to ground and surface water. Organic farming concepts are also addressed. Approximately, $151,000 is for salaries of researchers; $15,000 is for travel expenses; $10,000 is for farmer stipends; $25,000 is for materials and supplies; and $65,000 is for communication and outreach. Michigan State University expects to leverage at least $150,000 in state, local, and private funds to expand the impacts of the special grant.

Requesting Member: Congressman VERNON J. EHLERS

Bill Number: H.R. 2997

Agency: National Institute for Food and Agriculture

Account: Special Research Grants

Legal Name of Requesting Entity: Michigan State University College of Agriculture and Natural Resources

Address of Requesting Entity: 102 Agriculture Hall, East Lansing, Michigan 48824

Description of Request: This bill provides $346,000 for Phytophthora Capsici research. This grant is a valuable use of taxpayer money because the research will be used to study the fungal-like pathogen that lives in the soil and causes plants to rot. Vegetables such as cucumbers, pumpkins, squash, watermelon, cantaloupe, tomatoes, zucchini, peppers, eggplants and lima and snap beans are particularly susceptible to rot caused by Phytophthora. This funding will go towards salaries of researchers, laboratory and field equipment, travel expenses, and publication or results. This program receives other federal/state/local/industry funding.

Requesting Member: Congressman VERNON J. EHLERS

Bill Number: H.R. 2997

Agency: Natural Resources Conservation Service

Account: Conservation Operations

Legal Name of Requesting Entity: Great Lakes Commission

Address of Requesting Entity: 2805 S. Industrial Hwy, Suite 100, Ann Arbor, MI 48104–6791

Description of Request: This bill provides $404,000 for the Great Lakes Basin Program for Soil Erosion and Sediment Control, which was authorized in the 2002 Farm Bill. This funding is a valuable use of taxpayer money because it will protect and improve Great Lakes water quality by controlling erosion and sedimentation; limiting the input of associated nutrients and toxic contaminants; and minimizing off-site sources of damage to harbors, streams, fish and wildlife habitat, recreational facilities and the Basin's system of public works.

EARMARK DECLARATION

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2997, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010:

Requesting Member: Congressman TIM MURPHY

Bill Number: H.R. 2997, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010

Account: National Institute of Food and Agriculture Cooperative State Research, Education, and Extension Service (CSREES)

Legal Name of Requesting Entity: University of Pittsburgh Graduate School of Business Institute for Entrepreneurial Excellence

Address of Requesting Entity: Posvar Hall, Room 1800, Pittsburgh, PA 15260

Amount: $500,000

Description of Request: The funding will be used to address the needs of the agricultural sector in the region to improve business practices, marketing strategies, and profit management. The University of Pittsburgh's Graduate School of Business Institute for Entrepreneurial Excellence will develop a model agricultural entrepreneurship program for sustainable agricultural production in emerging areas such as hydroponics and soilless controlled environment agriculture.

I certify that this project does not have a direct and foreseeable effect on the pecuniary interests of me or my spouse.

I took extreme care to ensure that these projects are well vetted and strongly supported within the community. The University of Pittsburgh Graduate School of Business Institute for Entrepreneurial Excellence appropriation is of particular interest to my district and importance to my constituents.

IN CELEBRATION OF PASTOR JOHN RICE FOR 39 YEARS OF SERVICE AS PASTOR

HON. DEBORAH L. HALVORSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mrs. HALVORSON. Madam Speaker, today I rise to celebrate the service of Pastor John Rice of Chicago Heights, Illinois. Pastor Rice has served his boyhood church, St. Bethel, for 39 years. Since he began his tenure, St. Bethel has flourished, with its membership growing to over 300 families. The church has been able to undertake many new projects under Pastor Rice's leadership, including the construction of the Bethel Community Center. The construction of the community center and the growth of the church would not have been possible without the tireless efforts and faith of Pastor Rice.

I have had the good fortune of working with Pastor Rice and have seen his work first hand. He has touched many lives, including the underprivileged, for whom he is a tireless champion. St. Bethel Church and the community of Chicago Heights are long indebted to Pastor Rice for his great service.

On June 28, 2009, Pastor Rice will be honored at St. Bethel. He will be accepting much deserved praise on that day. It is with great pride that I recognize all of his many accomplishments and wish him a continued success.

PERSONAL EXPLANATION

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. SULLIVAN. Madam Speaker, I rise to state for the record that I was on official leave of absence from the U.S. House of Representatives on account of illness and unable to vote on rollcall vote 328 to H.R. 2410, Foreign Relations Authorization Act, Fiscal Years 2010 and 2011 taken on June 10, 2009. Had I been present for the vote, I would have voted nay.

I am strongly opposed to the irresponsible spending increases contained in the bill and favored a Republican substitute which was offered at the committee level which saved nearly $2.84 billion dollars, while tightening sanctions against Iran, adding new measures to increase foreign military funding for Israel, and supporting missile defense for Israel. In a time of national financial uncertainty, I believe it is irresponsible to create unnecessary new programs and pass such large funding increases. In addition, I have significant concerns about the potential for taxpayer funded abortions that could result from the passage of this legislation.

Daily Digest

HIGHLIGHTS

Senator-Elect Al Franken, of Minnesota, was administered the oath of office by the Vice President.

Senate

Chamber Action

Routine Proceedings, pages S7153–S7216

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 1400–1407, and S. Res. 208–209. **Pages S7192–93**

Measures Reported:

H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, with an amendment in the nature of a substitute. (S. Rept. No. 111–38)

S. 1406, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010. (S. Rept. No. 111–39)

S. 1407, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010. (S. Rept. No. 111–40) **Page S7192**

Measures Passed:

Majority Party Committee Membership: Senate agreed to S. Res. 208, to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen. **Page S7168**

Decade of Vision: Senate agreed to S. Res. 209, recognizing the 40th anniversary of the National Eye Institute and expressing support for designation of the years 2011 through 2020 as the "Decade of Vision". **Pages S7214–15**

Measures Considered:

Department of Homeland Security Appropriations Act: Senate began consideration of H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, taking action on the following amendments proposed thereto: **Pages S7164–67, S7168–82**

Rejected:

By 47 yeas to 51 nays (Vote No. 218), McCain Amendment No. 1400 (to Amendment No. 1373), to eliminate the appropriation for the Over-the-Road Bus Security Assistance, as recommended by the Administration. **Pages S7172–74, S7178**

Pending:

Reid (for Byrd/Inouye) Amendment No. 1373, in the nature of a substitute. **Pages S7164–67, S7168–82**

Sessions Amendment No. 1371 (to Amendment No. 1373), to make the pilot program for employment eligibility confirmation for aliens permanent and to improve verification of immigration status of employees. **Pages S7166–67, S7168–72**

DeMint Amendment No. 1399 (to Amendment No 1373), to require the completion of at least 700 miles of reinforced fencing along the southwest border by December 31, 2010. **Page S7172**

Feingold Amendment No. 1402 (to Amendment No. 1373), to require grants for Emergency Operations Centers and financial assistance for the predisaster mitigation program to be awarded without regard to earmarks. **Pages S7179–82**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, July 8, 2009, and that there be 5 minutes for debate prior to a vote on or in relation to Sessions Amendment No. 1371 (listed above), with the time equally divided and controlled between Senators Schumer and Sessions, or their designees; provided that upon disposition of Sessions Amendment No. 1371 (listed above), Senate resume consideration of DeMint Amendment No. 1399 (listed above), with two minutes of debate prior to a vote on or in relation thereto, with the time equally divided and controlled between Senators Murray and DeMint, or their designees; provided further, that no amendment be in order to any of the amendments covered in this agreement prior to a vote on or in relation to the amendments. **Page S7177**

Announcements:

Committee Assignments: The Majority Leader announced, in accordance with S. Res. 18, that the following Democratic member has been assigned to the following committees:

Committee on Indian Affairs: Senator Franken.

Select Committee on Aging: Senator Franken.

Page S7168

Nominations Received: Senate received the following nominations:

Susan L. Kurland, of Illinois, to be an Assistant Secretary of Transportation.

Matthew Winthrop Barzun, of Kentucky, to be Ambassador to Sweden.

William Carlton Eacho III, of Maryland, to be Ambassador to the Republic of Austria.

Fay Hartog-Levin, of Illinois, to be Ambassador to the Kingdom of the Netherlands.

Patricia Newton Moller, of Arkansas, to be Ambassador to the Republic of Guinea.

Michael H. Posner, of New York, to be Assistant Secretary of State for Democracy, Human Rights, and Labor.

Stephen J. Rapp, of Iowa, to be Ambassador at Large for War Crimes Issues.

Alexa E. Posny, of Kansas, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education.

Alexander G. Garza, of Missouri, to be Assistant Secretary for Health Affairs and Chief Medical Officer, Department of Homeland Security.

1 Army nomination in the rank of general.

Pages S7215–16

Measures Placed on the Calendar: **Page S7190**

Executive Communications: **Pages S7190–92**

Executive Reports of Committees: **Page S7192**

Additional Cosponsors: **Pages S7193–94**

Statements on Introduced Bills/Resolutions: **Pages S7195–S7200**

Additional Statements: **Pages S7189–90**

Amendments Submitted: **Pages S7200–13**

Notices of Hearings/Meetings: **Pages S7213–14**

Authorities for Committees to Meet: **Page S7214**

Privileges of the Floor: **Page S7214**

Record Votes: One record vote was taken today. (Total—218) **Page S7178**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:06 p.m., until 9:30 a.m. on Wednesday, July 8, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7215.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the nominations of Jonathan Steven Adelstein, of South Dakota, to be Administrator, Rural Utilities Service, who was introduced by Senators Johnson and Thune, Kevin W. Concannon, of Maine, to be Under Secretary for Food, Nutrition, and Consumer Services, who was introduced by Representative Pingree, and Evan J. Segal, of Pennsylvania, to be Chief Financial Officer, who was introduced by Senator Casey, all of the Department of Agriculture, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported the following bills:

S. 1406, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for fiscal year 2010, with amendments; and

S. 1407, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for fiscal year 2010, with amendments.

MILITARY COMMISSIONS AND TRIALS

Committee on Armed Services: Committee concluded a hearing to examine legal issues regarding military commissions and the trial of detainees for violations of the law of war, after receiving testimony from Jeh C. Johnson, General Counsel, Vice Admiral Bruce E. MacDonald, USN, Judge Advocate General, and Rear Admiral John D. Hutson, USN (Ret.), former Judge Advocate General, both of the United States Navy, and Major General John D. Altenburg, Jr., USA (Ret.), former Appointing Authority for Military Commissions, all of the Department of Defense; David S. Kris, Assistant Attorney General, National Security Division, Department of Justice; and Daniel Marcus, American University Washington College, Washington, DC.

PUBLIC TRANSPORTATION CLIMATE POLICY

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation and Community Development concluded a hearing to examine public transportation, focusing on a core climate solution, after receiving testimony from Ernest Tollerson, Director, New York State Metropolitan Transportation Authority Policy and Media Relations, New York; Michael A. Replogle, Institute for Transportation and Development Policy, and Randal

O'Toole, CATO Institute, both of Washington, D.C.; Clinton J. Andrews, Rutgers, The State University of New Jersey, New Brunswick; and Mayor Christopher Cabaldon, West Sacramento, California.

UNITED STATES COAST GUARD

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded an oversight hearing to examine the United States Coast Guard, after receiving testimony from Admiral Thad W. Allen, Commandant, United States Coast Guard, Department of Homeland Security; and Stephen Caldwell, Director, Homeland Security and Justice Issues, Government Accountability Office.

CLEAN ENERGY

Committee on Environment and Public Works: Committee concluded a hearing to examine legislative tools used to move America toward a clean energy economy and reducing global warming pollution, after receiving testimony from Thomas Vilsack, Secretary of Agriculture; Steven Chu, Secretary of Energy; Lisa P. Jackson, Administrator, Environmental Protection Agency; Kenneth L. Salazar, Secretary of the Interior; Mississippi Governor Haley Barbour, Jackson; Mayor John Fetterman, Braddock, Pennsylvania; David G. Hawkins, Natural Resources Defense Council, Washington, DC.; and Rich Wells, The Dow Chemical Company, Midland, Michigan.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the nominations of Colin Fulton, to be General Counsel, and Paul Anastas, to be Assistant Administrator for the Office of Research and Development, both of the Environmental Protection Agency.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Timothy J. Roemer, of Indiana, to be Ambassador to India, who was introduced by Senator Lugar, Richard J. Schmierer, of Virginia, to be Ambassador to the Sultanate of Oman, and Gordon Gray, of Virginia, to be Ambassador to the Republic of Tunisia, all of the Department of State, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Laurie Susan Fulton, of Virginia, to be Ambassador to Denmark, who was introduced by Senators Johnson and Warner, Louis B. Susman, of Illinois, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland, who was introduced by Senators Kerry, Durbin, and McCaskill, Charles H. Rivkin, of California, to be Ambassador to France, and to serve concurrently and without additional compensation as Ambassador to Monaco, who was introduced by Senator Kerry and Representative Waxman, and Mark Henry Gitenstein, of the District of Columbia, to be Ambassador to Romania, who was introduced by Senators Dodd and Kaufman, all of the Department of State, after the nominees testified and answered questions in their own behalf.

STRENGTHENING U.S.-PAKISTAN RELATIONS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine the strengthening of United States-Pakistan relations, after receiving testimony from Paul W. Jones, Deputy Special Representative for Afghanistan and Pakistan, Department of State; Lisa Curtis, Heritage Foundation, Nicholas Schmidle, New America Foundation, Shuja Nawaz, Atlantic Council of the United States, and Nathaniel C. Fisk, Center for a New American Security, all of Washington, DC.; and Rolf Mowatt-Larssen, Harvard University John F. Kennedy School of Government, Cambridge, Massachusetts.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee continued consideration of Affordable Health Choices Act, but did not complete action thereon, and will meet again on Wednesday, July 8, 2009.

BOWL CHAMPIONSHIP SERIES

Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights concluded a hearing to examine the Bowl Championship Series, focusing on its compliance with Antitrust Law, after receiving testimony from Michael Young, University of Utah, Salt Lake City; Barry J. Brett, Troutman Sanders LLP, New York, New York; Harvey S. Perlman, University of Nebraska-Lincoln; and William Monts III, Hogan and Hartson LLP, Washington, DC.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 3113–3120; 1 private bill, H.R. 3121; and 6 resolutions, H. Res. 607–608, and 611–14, were introduced. **Page H7740**

Additional Cosponsors: **Pages H7740–42**

Reports Filed: Reports were filed today as follows:

H.R. 2965, to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program, with an amendment (H. Rept. 111–190, Pt. 2);

H. Res. 609, providing for consideration of the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010 (H. Rept. 111–191); and

H. Res. 610, providing for consideration of the bill (H.R. 2965) to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program (H. Rept. 111–192). **Page H7740**

Speaker: Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today. **Page H7709**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Authorizing the Secretary of the Interior to provide an annual grant to facilitate an iron working training program for Native Americans: H.R. 1129, to authorize the Secretary of the Interior to provide an annual grant to facilitate an iron working training program for Native Americans, by a recorded vote of 329 ayes to 75 noes, Roll No. 479; **Pages H7712–13, H7725–26**

Directing the Architect of the Capitol to place a marker in Emancipation Hall in the Capitol Visitor Center which acknowledges the role that slave labor played in the construction of the United States Capitol: H. Con. Res. 135, to direct the Architect of the Capitol to place a marker in Emancipation Hall in the Capitol Visitor Center which acknowledges the role that slave labor played in the construction of the United States Capitol, by a ⅔ yea-and-nay vote of 399 yeas to 1 nay, Roll No. 478; and **Pages H7719–21, H7725**

Authorizing the Director of the United States Patent and Trademark Office to use funds made available under the Trademark Act of 1946 for patent operations in order to avoid furloughs and reductions-in-force: H.R. 3114, to authorize the Director of the United States Patent and Trademark Office to use funds made available under the Trademark Act of 1946 for patent operations in order to avoid furloughs and reductions-in-force. **Pages H7723–24, H7725**

Recess: The House recessed at 3:35 p.m. and reconvened at 6:31 p.m. **Pages H7724–25**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Utah Recreational Land Exchange Act of 2009: H.R. 1275, amended, to direct the exchange of certain land in Grand, San Juan, and Uintah Counties, Utah; **Pages H7710–12**

Tule River Tribe Water Development Act: H.R. 1945, to require the Secretary of the Interior to conduct a study on the feasibility and suitability of constructing a storage reservoir, outlet works, and a delivery system for the Tule River Indian Tribe of the Tule River Reservation in the State of California to provide a water supply for domestic, municipal, industrial, and agricultural purposes; **Pages H7713–14**

Supporting National Men's Health Week: H. Con. Res. 142, to support National Men's Health Week; **Pages H7714–16**

Recognizing the significance of National Caribbean-American Heritage Month: H. Con. Res. 127, to recognize the significance of National Caribbean-American Heritage Month; and **Pages H7716–19**

Directing the Architect of the Capitol to engrave the Pledge of Allegiance to the Flag and the National Motto of "In God We Trust" in the Capitol Visitor Center: H. Con. Res. 131, to direct the Architect of the Capitol to engrave the Pledge of Allegiance to the Flag and the National Motto of "In God We Trust" in the Capitol Visitor Center. **Pages H7721–23**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H7710.

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of today and appear on pages H7725 and H7725–26. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 8:59 p.m.

Committee Meetings

ENERGY AND WATER DEVELOPMENT/ FINANCIAL SERVICES APPROPRIATIONS FISCAL YEAR 2010

Committee on Appropriations: Ordered reported the following appropriations for fiscal year 2010: Energy and Water Development, and Related Agencies; and Financial Services and General Government.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Committee on Rules: Granted, by a non-record vote, a structured rule. The rule provides one hour of general debate on H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010, equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI. The rule waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI.

The rule makes in order the following amendments: (1) the amendment printed in part A of the report of the Committee on Rules accompanying the resolution; (2) the amendments printed in part B of the report of the Committee on Rules; (3) not to exceed one of the amendments printed in part C of the report of the Committee on Rules if offered by Representative Campbell of California or his designee; (4) not to exceed three of the amendments printed in part D of the report of the Committee on Rules if offered by Representative Flake of Arizona or his designee; and (5) not to exceed one of the amendments printed in part E of the report of the Committee on Rules if offered by Representative Hensarling of Texas or his designee. The rule provides that each such amendment shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, 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. The rule also provides that the amendments printed in part B through E of the report may be offered only at the appropriate point in the reading.

The rule provides that for those amendments reported from the Committee of the Whole, the question of their adoption shall be put to the House en gros and without demand for division of the question. The rule provides one motion to recommit with or without instructions.

The rule provides that after consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent. The rule provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee and that the Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII). Finally, the rule provides that during consideration of H.R. 2997, the Chair may reduce to two minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX. Testimony was heard by Representatives DeLauro, Welch (VT), Courtney, Kingston, and Jordan.

ENHANCING SMALL BUSINESS RESEARCH AND INNOVATION ACT OF 2009

Committee on Rules: Granted, by a non-record vote, a structured rule. The rule provides one hour of general debate on H.R. 2965, the Enhancing Small Business Research and Innovation Act of 2009, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Small Business and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Science and Technology. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Small Business now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI.

The rule makes in order only those amendments printed in the report of the Committee on Rules. The amendments made in order 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 this 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 a division of the question in the House or in the Committee of the Whole. The rule provides that the proponent of any such amendment may modify its amendatory instructions. All points of order against the amendments except for clauses

9 and 10 of rule XXI are waived. The rule provides that 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 rule also provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Small Business or a designee. The rule provides that the Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII). Finally, the rule provides that during consideration of H.R. 2965, the Chair may reduce to two minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX. Testimony was heard by Chairwoman Velázquez, Markey (MA), Tsongas, and Graves.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 8, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Energy and Water Development, business meeting to mark up proposed budget estimates for fiscal year 2010 for Energy and Water Development, 10 a.m., SD–192.

Subcommittee on Financial Services and General Government, business meeting to mark up proposed budget estimates for fiscal year 2010 for Financial Services and General Government, 1:30 p.m., SD–192.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions, to hold hearings to examine the effects of the economic crisis on community banks and credit unions in rural communities, 2 p.m., SD–538.

Committee on Commerce, Science, and Transportation: business meeting to consider S. 588, to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, S. 649, to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Commission, S. 668, to reauthorize the Northwest Straits Marine Conservation Initiative Act to promote the protection of the resources of the Northwest Straits, S. 1194, to reauthorize the Coast Guard for fiscal years 2010 and 2011, and S. 1308, to reauthorize the Maritime Administration; to be immediately followed by a hearing to examine the nominations of Charles F. Bolden, Jr., of Texas, to be Administrator, Lori Garver, of Virginia, to be Deputy Administrator, both of the National Aeronautics and Space Administration, Deborah A. P. Hersman, of Virginia, to be Chairman of the National Transportation Safety Board, Richard A. Lidinsky, Jr., of Maryland, to be a Federal Maritime Commissioner, and Polly Trottenberg, of Maryland, to be Assistant Secretary of Transportation for Transportation Policy, 2 p.m., SR–253.

Committee on Environment and Public Works: Subcommittee on Water and Wildlife, to hold hearings to examine threats to native wildlife species, 10 a.m., SD–406.

Full Committee, to hold hearings to examine the nominations of Robert Perciasepe, of New York, to be Deputy Administrator, and Craig E. Hooks, of Kansas, to be an Assistant Administrator, both of the Environmental Protection Agency, 2:30 p.m., SD–406.

Committee on Finance: to hold hearings to examine how climate change legislation relates to international trade considerations, 10 a.m., SD–215.

Committee on Foreign Relations: business meeting to consider the nominations of Christopher William Dell, of New Jersey, to be Ambassador to the Republic of Kosovo, Nancy J. Powell, of Iowa, to be Director General of the Foreign Service, Capricia Penavic Marshall, of the District of Columbia, to be Chief of Protocol, and to have the rank of Ambassador during her tenure of service, Maria Otero, of the District of Columbia, to be Under Secretary for Democracy and Global Affairs, and Philip L. Verveer, of the District of Columbia, for the rank of Ambassador during his tenure of service as Deputy Assistant Secretary for International Communications and Information Policy in the Bureau of Economic, Energy, and Business Affairs and United States Coordinator for International Communications and Information Policy, all of the Department of State, Time to be announced, S–116, Capitol.

Full Committee, to hold hearings to examine the nominations of Carlos Pascual, of the District of Columbia, to be Ambassador to Mexico, Arturo A. Valenzuela, of the District of Columbia, to be Assistant Secretary for Western Hemisphere Affairs, Kenneth H. Merten, of Virginia, to be Ambassador to the Republic of Haiti, and Thomas Alfred Shannon, Jr., of Virginia, to be Ambassador to the Federative Republic of Brazil, all of the Department of State, 9 a.m., SD–419.

Subcommittee on European Affairs, to hold hearings to examine industrial competitiveness under climate policies, focusing on lessons from Europe, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: business meeting to continue consideration of Affordable Health Choices Act, subcommittee assignments, and any pending nominations, 10 a.m., SD–106.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine reform in the Federal Protective Service, 10 a.m., SD–342.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters from officials of the intelligence community, 2:30 p.m., S–407, Capitol.

House

Committee on Education and Labor, Subcommittee on Early Childhood, Elementary and Secondary Education

and the Subcommittee on Healthy Families and Communities, joint hearing on Strengthening School Safety through Prevention of Bullying 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, hearing to examine the Administration's proposal to create a new agency responsible for consumer protection with regard to financial products and services, 10 a.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''Regulation of Bottled Water,'' 10 a.m., 2322 Rayburn.

Committee on Financial Services, to mark up H.R. 3045, Section 8 Voucher Reform Act of 2009, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Nuclear Cooperation with the United Arab Emirates: Review of the Proposed U.S.–UAE Agreement, 10 a.m., 2172 Rayburn.

Committee on Homeland Security, hearing entitled ''FEMA Housing: An Examination of Current Problems and Innovative Solutions,'' 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on Legal Issues Surrounding the Military Commissions System, 10 a.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism, and Homeland Security, hearing on National Prison Rape Elimination Commission Report and Standards, 3 p.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on the following bills: H.R. 1771, Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2009; H.R. 1053, Chesapeake Bay Accountability and Recovery Act of 2009; and H.R. 905, Thunder Bay National Marine Sanctuary and Underwater Preserve Boundary Modification Act, 10 a.m., 1324 Longworth.

Subcommittee on National Parks, Forests and Public Lands, hearing on the following bills: H.R. 481, North Country National Scenic Trail Route Adjustment Act of 2009; H.R. 685, United States Civil Rights Trail System Act of 2009; H.R. 1593, 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; H.R. 2167, To authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain lands as the Los Caminos del Rio National Heritage Corridor; and H.R. 2806, To authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness, 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, hearing entitled ''Tracking the Money: Preventing Waste, Fraud, and Abuse of Recovery Act Funding.'' 10 a.m., 2154 Rayburn.

Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing to examine H.R. 2517, Domestic Partnership Benefits and Obligations Act of 2009, 2 p.m., 2154 Rayburn.

Subcommittee on Government Management, Organization, and Procurement, hearing on Oversight of Federal Financial Management, 2 p.m., 2247 Rayburn.

Committee on Rules, to consider the following bills: H.R. 3081, Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2010, and for other purposes; and H.R. 2701, Intelligence Authorization Act for Fiscal Year 2010, 3 p.m., H–313 Capitol.

Committee on Science and Technology, Subcommittee on Technology and Innovation, hearing on the Reauthorization of the FIRE Grant Programs, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''The Looming Challenge for Small Medical Practices: The Projected Physician Shortage and How Health Care Reforms Can Address the Problem,'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on the General Services Administration's Fiscal Year 2010 Capital Investment and Leasing Program (CILP), 3 p.m., 2167 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Wednesday, July 8

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 2892, Department of Homeland Security Appropriations Act, and after a period of debate, vote on or in relation to Sessions Amendment No. 1371 (to Amendment No. 1373), to be followed by a vote on or in relation to DeMint Amendment No. 1399 (to Amendment No. 1373).

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, July 8

House Chamber

Program for Wednesday: Consideration of H.R. 2965—Enhancing Small Business Research and Innovation Act of 2009 (Subject to a Rule) and H.R. 2997—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Bishop, Rob, Utah, E1658
Blunt, Roy, Mo., E1658
Bono Mack, Mary, Calif., E1644
Boustany, Charles W., Jr., La., E1659
Brown, Henry E., Jr., S.C., E1656
Brown-Waite, Ginny, Fla., E1656
Carter, John R., Tex., E1646, E1649, E1650, E1650
Castle, Michael N., Del., E1639
Coble, Howard, N.C., E1649
Cole, Tom, Okla., E1657
Conaway, K. Michael, Tex., E1644, E1654
Crenshaw, Ander, Fla., E1656
Deal, Nathan, Ga., E1646
DeLauro, Rosa L., Conn., E1652
Dent, Charles W., Pa., E1657
Diaz-Balart, Lincoln, Fla., E1658
Diaz-Balart, Mario, Fla., E1648
Duncan, John J., Jr., Tenn., E1647, E1659
Ehlers, Vernon J., Mich., E1661
Emerson, Jo Ann, Mo., E1643, E1653
Fallin, Mary, Okla., E1640
Fortenberry, Jeff, Nebr., E1659
Fudge, Marcia L., Ohio, E1650, E1656
Gingrey, Phil, Ga., E1650
Gohmert, Louie, Tex., E1657
Granger, Kay, Tex., E1641, E1642, E1644, E1646
Griffith, Parker, Ala., E1647, E1654
Halvorson, Deborah L., Ill., E1662
Heller, Dean, Nev., E1657
Higgins, Brian, N.Y., E1648
Johnson, Henry C. ''Hank'', Jr., Ga., E1642
Johnson, Timothy V., Ill., E1646
King, Peter T., N.Y., E1658
Klein, Ron, Fla., E1651
Lee, Christopher John, N.Y., E1640
Lucas, Frank D., Okla., E1660
McCarthy, Carolyn, N.Y., E1647, E1654
McKeon, Howard P. ''Buck'', Calif., E1649
McMorris Rodgers, Cathy, Wash., E1639
Maloney, Carolyn B., N.Y., E1659
Mitchell, Harry E., Ariz., E1651, E1656
Murphy, Patrick J., Pa., E1641
Murphy, Scott, N.Y., E1660
Murphy, Tim, Pa., E1661
Nunes, Devin, Calif., E1644
Ortiz, Solomon P., Tex., E1650, E1651, E1653
Pascrell, Bill, Jr., N.J., E1642, E1655
Paulsen, Erik, Minn., E1649
Rahall, Nick J., II, W.Va., E1642
Rangel, Charles B., N.Y., E1641, E1643, E1652, E1655
Shimkus, John, Ill., E1649, E1653
Shuster, Bill, Pa., E1645
Smith, Lamar, Tex., E1646, E1648
Sullivan, John, Okla., E1657, E1658, E1659, E1659, E1660, E1662
Tonko, Paul, N.Y., E1641
Walden, Greg, Ore., E1651
Wittman, Robert J., Va., E1639
Young, C.W. Bill, Fla., E1640

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202–512–1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1–888–293–6498 (toll-free), 202–512–1530 (D.C. area); Fax: 202–512–1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to 866–512–1800 (toll free), 202–512–1800 (D.C. area), or fax to 202–512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.