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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. WEINER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 10, 2009.

I hereby appoint the Honorable ANTHONY D. WEINER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Dr. Alan N. Keiran, Office of the Senate Chaplain, offered the following prayer:

Father God, as the challenging winds of change blow across our beloved Nation, we ask You to empower and encourage our leaders. Release in them vibrant faith in Your word and grant them supernatural wisdom to solve the daunting problems facing our country and our world.

Lord God Almighty, only You can lead us out of darkness and into the wonderful light of Your redeeming love. Open our eyes that we may see and our ears that we may hear what Your Holy Spirit is saying in these trying times. Protect us from the spirit of fear and anoint us with power, love and sound minds. Establish within us the tenacious resolve needed to overcome any obstacles inspired by the enemy of our souls.

Father, please bless and encourage the Members of this House, their families and staff members. As they seek Your counsel, speak tender words of encouragement and direction into their hearts. As they study Your word, may they feel renewed and enlightened. And as they worship, let them experience Your transforming presence and abundant love.

All this I pray in the name of Him who is the light of the world. 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 Alabama (Mr. BRIGHT) come forward and lead the House in the Pledge of Allegiance.

Mr. BRIGHT 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

GUARANTEEING ALL AMERICANS HEALTH CARE

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

Mr. KUCINICH. Mr. Speaker, one of the tragic and laughable conceits of the entire health care debate is that people love their for-profit health insurance companies, so hands off the private insurers.

These are the same insurance companies whose premiums, copays and deductibles are forcing millions of Americans into poverty. Sixty percent of all U.S. bankruptcies are tied to people not being able to pay their hospital bills, and most of these people were insured. But people love their insurance companies.

Now, everyone knows that insurance companies make money not providing health care. But people love their insurance companies, so we have to leave them in the game, right?

People love for-profit insurers, so government ought to give the insurance companies a bailout and subsidize private insurers, because people love their insurance companies, right?

Well, I don't think that people love for-profit insurance. I think people want a not-for-profit system that guarantees all Americans health care.

AMERICANS DESERVE A PROPER DEBATE

(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, Democrats are beholden to the failed policies of big government. That is why they refuse to acknowledge the commonsense proposals House Republicans have provided to make this Nation stronger, energy more affordable and Americans healthier.

Rather than have the reasonable debate that the American people deserve, Democrats want to spend their time presenting false choices. But despite the tired rhetoric we hear from the other side of the aisle, House Republicans continue to offer commonsense solutions to improve the economy and create jobs through relief for families and small businesses.

We are fighting for patient-first health care solutions that will help Americans afford insurance, protect the doctor-patient relationship and keep Washington out of your private health care decision. We are standing up for the middle-class families who cannot afford a massive national energy tax.

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The American people deserve a debate on the ideas, not more rhetoric and false choices from this administration and their allies.

In conclusion, God bless our troops, and we will never forget September 11th in the Global War on Terrorism.

HONORING GREG GAMBRIL AND DARYL BAILEY

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

Mr. BRIGHT. Mr. Speaker, I rise today to honor two very talented law enforcement officials in my district. Last week, Greg Gambril and Daryl Bailey received the highest honors in their respective fields from the Alabama District Attorney's Association.

Greg received the Brad Morris Memorial DA of the Year Award. He has served in the Covington County DA's office since 1992 and elected as district attorney in 2004.

Daryl Bailey began in the Montgomery County DA's office in 1997 and has served as Chief Deputy District Attorney since 2002. He was named Assistant District Attorney of the Year and he has prosecuted capital murders as well as the domestic violence cases in his district.

Again, congratulations to Greg, along can his wife Julie and sons, Joseph and Charlie, and to Daryl Bailey and his wife, Tracy, and children, Laura and Jake, for their achievements and dedicated service to our communities.

PRESCRIPTION OF THE DAY: ENSURING A STRONG FUTURE PHYSICIAN WORKFORCE

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

Mr. BURGESS. Mr. Speaker, ''Are we running out of doctors'' was a question posed by the Texas Medical Association last year. The United States population continues to grow and there is concern that there may not be enough physicians to care for Americans.

If we do nothing to assist the training of new physicians, waiting lines will grow longer, lapses in treatment will occur, and many of our smaller and rural communities will be at risk of not having physicians.

What is the prescription? Helping doctors as they enter training in medical school and continuing assistance throughout their residency in high-need specialties and medically-underserved areas to make certain that when you need help, your doctor is in.

Two bills, H.R. 914 and H.R. 916, bipartisan bills to help offer incentives for physicians to practice in rural and underserved areas of the country, will help to ensure that health care coverage actually equals access to a doctor for all Americans.

All of the recent discussion on health care reform has been on cost and coverage, but it matters not if there are not enough doctors for America's patients. Ensuring that our Nation has a strong physician workforce is critical and must be part of this national health care debate.

For more information, please visit my Website, healthcaucus.org.

ACKNOWLEDGING THE PROGRESS AND IMPORTANCE OF GHANA

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

Mr. COHEN. Mr. Speaker, today I rise to applaud the efforts of Ghana in promoting good governance and civic participation. President Obama will wrap up the third leg of his international trip in Ghana. He will be there today.

I am reminded of the important role this democratic nation plays in the international world. Ghana is an active participant in the United Nations and the African Union. In its region, it has been extremely active in international peacekeeping.

Ghana, the first state in Sub-Saharan Africa to gain its independence, has shown that it is a stable nation whose government and people are accountable to one another. These acts are a good first step in developing future relationships between our Nation and Ghana.

One of my constituents, five-time karate and kickboxing champion, Anthony ''Amp'' Elmore, fulfilled his lifelong dream by visiting Ghana in 1998. The champ visited Accra, and it has changed his life.

After returning to Memphis, Amp developed his vision of educating and enlightening people about the cultural and economic importance of Africa as a continent, as well as Ghana. At his home and throughout the city, he showcased African artifacts, fabrics and arts.

This weekend, on Friday and Saturday both, he will be honoring Africa at his home and inviting the public and having a fashion show and an African dinner. I will be there. Next year, I will visit Ghana and hope to develop trade between our city, Ghana and our Nation.

COMMENDING SERVICE ORGANIZATIONS

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

Mr. PAULSEN. Mr. Speaker, in the midst of intense policy debates, we must not forget that we are here for one reason, to serve. Thankfully I have constant reminders of that spirit of service throughout my district. During the past week, I visited two amazing service organizations where I had the great honor of joining their efforts.

Interfaith Outreach and Community Partners helps people who are facing a crisis, whether it be sudden job loss or dealing with serious health care issues. Along with operating a local food shelf, they offer emergency financial assistance to those in need.

Feed My Starving Children provides hand-packed meals formulated specifically for children suffering from malnourishment and starvation. They ship those meals to over 60 countries, partnering with like-minded organizations worldwide. They have helped children regain their health.

The spirit of service embodied by these employees and volunteers at these organizations is something we should all be proud of and something we should strive for each day.

HEALTH CARE INNOVATION ZONE PROGRAM ACT

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

Ms. SCHWARTZ. Mr. Speaker, finding a uniquely American solution to our Nation's health care challenges means expanding access to high quality health coverage, containing health care costs, improving the quality of care and achieving better health outcomes. To achieve these goals, we have to think in new ways about how to bridge the current system's fragmentation, encourage coordination and promote collaboration by health care providers.

Meaningful health care reform requires that we expand delivery of care models that encourage teamwork among providers, improve efficiencies, and ensure that Americans get better value for their health dollars spent. This includes patient-centered medical homes and greater access to primary care. We should also expand opportunities for doctors and hospitals, including those based in community and academic medical centers, to design, implement and evaluate such models of care delivery.

I have introduced the Health Care Innovation Zone Program Act to create and expand these innovative models of care. When we provide incentives to payers and providers to work together to improve care to communities of patients, we will undoubtedly see better health care, better health care outcomes and lower costs for all of us.

REPUBLICANS OFFER A BETTER PLAN FOR HEALTH CARE REFORM

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

Ms. FOXX. Mr. Speaker, at some point every American will see a doctor or require some form of emergency care. Whether it is the birth of a child or an aging parent sick with cancer, families are praying for the best health care possible for their loved ones. But right now, Democrats are pushing for a government takeover of health care that would severely limit many patients' access to life-saving treatment.

House Republicans know that health care run by government bureaucrats doesn't work, because it has been tried and failed in other countries. Tragedies result when government controls health care and makes decisions best left to doctors and their patients.

Republicans will offer a better plan for health care reform, one that provides patients and their families with the peace of mind that comes with having the care they need when they need it.

DEVELOPING A CLEAN ENERGY FUTURE FOR MAINE

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

Ms. PINGREE of Maine. Mr. Speaker, in Maine we are witnessing the birth of an industry, a clean energy industry that will create the jobs and supply the renewable energy we will need to grow our economy. In Maine, we have the people, the technology and the resources to develop and grow this industry.

Last week, Maine hosted the International Energy Ocean Conference, where hundreds of clean energy experts from around the world gathered and saw firsthand how serious our State is about developing renewable energy.

Also last week the Maine Wind Industry Initiative went public. MWII has organized the complete wind power industry supply chain, from large organizations like Bath Iron Works to smaller companies that specialize in precision composite manufacturing.

Mr. Speaker, Maine has an important role to play in Maine's clean energy future, and Maine people are ready to be part of it.

WHY ARE AMERICANS FORCED TO PAY FOR THE HEALTH CARE OF ILLEGALS?

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

Mr. POE of Texas. Mr. Speaker, the government control crowd is pushing for universal government takeover of health care. They say only Dr. Uncle Sam can cure the high cost of medicine.

Well, one way to keep down the high cost of health care that no one dares mention is to secure the borders. The flood of illegals coming here for free health care services costs taxpayers billions every year. California spends $1.5 billion a year in medical costs just for illegals. No wonder they are going broke. Texas spends $700 million a year. Virginia spends $100 million a year, and they are not even a border state.

That doesn't count the cost to hospitals that treat illegals. Hospitals aren't allowed to check citizenship, so illegals use expensive emergency rooms to treat minor ailments. The hospital then must charge more to citizens and legal immigrants just to stay in business. Illegals also drive up the cost of medical insurance for everybody else.

Mr. Speaker, if we stop paying for medical coverage for illegals, then citizens and legal immigrants could obtain affordable health care. Americans should not be forced and coerced to pay for the health care of people illegally in the United States.

And that's just the way it is.

□ 0915

PROVIDING FOR CONSIDERATION OF H.R. 3082, MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2010

Ms. PINGREE of Maine. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 622 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 622

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 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. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read through page 58, line 6. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Notwithstanding clause 11 of rule XVIII, except as provided in section 2, no amendment shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for ten 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. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. In the case of sundry amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. 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.

SEC. 2. After disposition of the amendments specified in the first section of the resolution, 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.

SEC. 3. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

SEC. 4. During consideration of H.R. 3082, 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.

POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I raise a point of order against H. Res. 622 because the resolution violates section 426(a) of the Congressional Budget Act.

The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden to identify the specific language in the resolution on which the point of order is predicated. Such a point of order shall be disposed of by the question of consideration.

The gentleman from Arizona and a Member opposed each will control 10 minutes of debate on the question of consideration. After the debate, the Chair will put the question of consideration, to wit: Will the House now consider the resolution?

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Speaker, there may well be unfunded mandates in this bill, but that's not why I rise today. I rise because it's about the only mechanism we have to talk about the fact that we are bringing appropriation bills to the floor under closed or structured rules, which violates basically every precept we've had in this House about openness and transparency on appropriation bills.

For years—and decades—appropriation bills have been brought to the floor under an open rule, allowing Members to offer amendments to various sections of the bill and not be precluded from that. But these bills are being brought to the floor all year under closed or structured rules, allowing very, very few amendments. Let me tell you why that's important.

Here, in the past, when Republicans were in the majority, we were lacking a lot of transparency on earmarks. I would come to the floor and offer sometimes a dozen earmark amendments on the floor to strike earmarks, and I had no idea most times when I would come to the floor whose earmark I was challenging. I would simply come and challenge it. And sometimes the sponsor of the earmark would come down to the

floor to defend it, sometimes they wouldn't; but at least I had the opportunity to come down and challenge the earmark and there was some type of back and forth and discussion of it. Now we have some transparency rules, which is good. Some of us have pushed for these transparency rules for a while. Now we know whose earmark we're challenging on the floor. Now we know because there is a name next to it, and Members are required to fill out a certification letter stating that they have no financial interest in the earmark that they are sponsoring.

Those are good reforms; I'm glad we have them. The Speaker of the House said during the campaign a couple of years ago that we were going to drain the swamp, referring to some of the corruption that had gone on, much of it due to earmarking. And I am pleased that some of these transparency rules have come into being. It's a good thing. The problem is we have not drained the swamp; we simply know how deep the mud is. We know that we have a problem, but we have not done much to correct that problem. Let me give you an example. And this is the case here with this rule and the rules on other appropriation bills this year.

Now we know whose earmarks are in the bills, and we know that some of them raise questions, particularly in the Defense bill that is upcoming later this month. There are numerous investigations going on by the Department of Justice right now examining the relationship between earmarks and campaign contributions. Our own Ethics Committee issues guidance that says if you receive a campaign contribution in close proximity to an earmark that you've sponsored, that doesn't necessarily constitute financial interest; in other words, go ahead and do it. And we have many examples of earmarks going out and campaign contributions flowing in to the sponsor of the earmark. We may not see that as a problem here, but clearly the Justice Department seems to see there is a problem with that.

And so what do we do here in the House? Instead of allowing Members to come to the floor during debate and saying, what about this earmark, what about the campaign contributions that seem to have been received as soon as that earmark was sponsored, as soon as that report came to the floor saying that that earmark was in the bill, why did campaign contributions flow in response to that—instead of being able to examine those things, we've decided to cut off debate.

And so we have transparency rules where we now know whose earmark is in the bill, but we've prohibited Members from actually coming to the floor to examine that. So you have some more transparency, but you've cut out accountability.

Now, we've done a number of appropriation bills, and some amendments have been allowed—very few. I think in one bill there were more than 100 amendments that were prefiled and only maybe 20 or so were allowed. I myself have submitted, in one of the latest bills, about a dozen amendments and was only allowed to offer three on the floor. My guess is that these are going to be narrowed further and further until we get to the Defense bill later this month, which we have allowed only one day of debate for. Keep in mind, this is going to be a bill that will have, likely, if tradition holds, more than 1,000 House earmarks in it, several hundred of which will constitute no-bid contracts for private companies, nearly all of which there will be a pattern of campaign contributions flowing back to the Member who sponsored that earmark.

Now, I am not a fan of public funding of campaigns. That's not the direction we should go. And campaign contributions typically flow to Members who share the philosophy of the person who is making the contribution. But when you have a pattern, as the press has duly noted, accurately noted, that as soon as an earmark is sponsored, often there are campaign checks that come directly to that Member who sponsored the earmarks. There is an appearance of impropriety that we simply have to take account of here in the House.

Our role here in the House and the role of the Ethics Committee is to make sure that we uphold the dignity of this institution, and we simply can't do that when you have the appearance of impropriety. And when you give a no-bid contract to a private company whose executives turn around and make large campaign contributions back to that Member who sponsored the no-bid contract to them, you have the appearance of impropriety. And it is simply wrong for us now to shut down debate on that and to say, all right, now we used to allow Members to challenge these things on the floor, but now that we know that there's an appearance of impropriety, we're simply going to shut down debate, we're not going to talk about it, we're not going to allow that debate to occur on the House floor.

Now, I would hope that these earmarks would be talked about and discussed and vetted in the Appropriations Committee, but clearly that is not the case. If it were the case, if these were properly vetted in the Appropriations Committee, we wouldn't see the scandals that we've seen. We wouldn't have Members of Congress behind bars right now for sponsoring earmarks and taking money for them.

Now, I'm not saying that that's occurring now, but that has in the past. And when we clearly haven't vetted these properly—and we don't do this body any service by cutting off debate on the House floor and saying we're just going to turn a blind eye because there might be a problem, and if we stand on the floor and debate these things, then people might see that there is a problem.

So it's good to have transparency rules. That's wonderful. But once you do have transparency, you need accountability. And when you cut off debate and cut off amendments coming to the floor and bring appropriation bills under closed rules in violation of every tradition we've had in this House, then we've got a problem.

It is said that people outside of the beltway don't care about process, and that may be true. It's tough to make political points about process because it's tough to understand the process of this institution. But bad process always yields bad results and bad policy. It happened when we were in the majority, when we held votes open for 3 hours to allow leadership and others to twist arms. That violated every tradition of the House where you're supposed to only hold votes open for 15 minutes or slightly longer. There's a problem with that. People may not understand that outside, but it leads to bad results. And I would submit that if you shut down appropriation bills, if you shut down the process allowing Members to offer amendments on the floor and just turn a blind eye to what might be occurring, then you're going to have a problem, and you're going to increase the cynicism, rightfully, that people have about this institution.

I have served in the House of Representatives for 9 years. This is a wonderful institution, it really is; and we owe this body much more than we're giving it. And I would hope that the leadership here would exhibit maybe more of a vested interest in upholding the dignity of this institution instead of sweeping these things under the rug and saying let's just not have debate on the House floor because people might see what is occurring.

Mr. Speaker, I hope that, particularly when we get to the Defense bill later, where there are going to be hundreds and hundreds of earmarks that represent no-bid contracts to private companies, that we allow amendments to come to the floor to examine some of these instead of sweeping the process under the rug and hoping that nobody pays attention.

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

The SPEAKER pro tempore. The gentlewoman from Maine is recognized in opposition.

Ms. PINGREE of Maine. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Arizona has made some eloquent points this morning. And I certainly hope if he really wants to resolve this issue, he will join me in supporting the bill that is in the House right now on public financing. Since both he and I come from States, Arizona and Maine, that have had great success with this system in removing some of the corruption from the process, I think that we could make a good team on that issue.

But, Mr. Speaker, we know that this point of order is not about unfunded mandates, as he mentioned—or, in fact,

even about earmarks. It's about delaying consideration of this bill and ultimately stopping it altogether.

□ 0930

Since I do come from the State of Maine, where nearly one-fifth of our residents are veterans or active-duty members of our armed services, I know that this bill we are about to talk about today is extremely important, and passing this rule to allow for consideration of this bill and move forward on these issues around access to health care, making sure our veterans get the benefits that they deserve, is extremely important to the residents of my State and certainly people across this country.

I hope my colleagues will see through this attempt and will vote ''yes'' so that we can consider this legislation on its merits and not stop it with a procedural motion. The last thing that people want to see happening in the House of Representatives is endless conversation about things that have nothing to do with the issues before us but not moving forward with the things that we care about.

Those who oppose this bill can vote against it on the final passage. We must consider this rule. We must pass this legislation today.

I urge my colleagues to vote ''yes'' to consider this rule.

Mr. FLAKE. Will the gentlewoman yield?

Ms. PINGREE of Maine. I will.

Mr. FLAKE. I appreciate that. I'm not going to call a vote on this. I'm not trying to delay the process. We're just given so little time to speak because we're not allowed to bring amendments to the floor that we have to take every opportunity that we can.

I appreciate your yielding.

Ms. PINGREE of Maine. Again, I urge my colleagues to vote ''yes'' on this motion to consider so that we can debate and pass this important legislation today.

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

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

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

Ms. PINGREE of Maine. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. PINGREE of Maine. Mr. Speaker, I ask unanimous consent that all Members may be given 5 legislative days in which to revise and extend their remarks on House Resolution 622.

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

There was no objection.

Ms. PINGREE of Maine. Mr. Speaker, I yield myself such time as I may consume.

House Resolution 622 provides for consideration of H.R. 3082, the Military Construction and Veterans Affairs Appropriations Act, 2010, under a structured rule.

For the past 8 years, our country has been engaged in two conflicts halfway around the world. The number of wounded military personnel in Iraq and Afghanistan has put a financial strain on the Department of Veterans Affairs. The Veterans Health Administration estimates that they will treat more than 6 million patients in 2010, including over 400,000 veterans from Iraq and Afghanistan. In addition, the consistent training, deployment, and redeployment of our troops have put a significant burden on our military.

H.R. 3082 appropriates over $133 billion in fiscal year 2010 for military construction, veterans programs, and four related agencies. The bill provides $24.6 billion for construction and improvements to military bases, facilities, and housing units. The bill provides $450 million to accelerate the modernization of trainee housing and $2 billion to construct and maintain houses for military families.

The bill also provides $200 million in additional funding for the Guard and Reserves to address critical unfunded requirements as a result of prolonged and repeated deployments. Maine is home to thousands of Guard and Reservists who have made an invaluable contribution to our national defense, and I am proud to see funding included in this bill for them.

H.R. 3082 also renews our commitment to redevelop closed military bases and their surrounding communities. The bill provides $7.5 billion to implement the 2005 BRAC and $537 million to address an enormous backlog of environmental cleanup projects from the previous BRAC rounds. This funding is essential to communities across the country, including the town of Brunswick in my district, which is already experiencing economic difficulties from the closing of Naval Air Station Brunswick.

While the investments in military construction are vital, they are only a small portion of this bill. More than 80 percent of the bill's funding in this legislation is devoted to veterans programs. The bill provides over $108 billion for veterans' medical care, claims processors, and facility improvements. H.R. 3082 increases appropriations by 14 percent or $12.9 billion over the current level. This bill includes $45 billion for the Veterans Health Administration, with increased funding for mental health services, assistance programs for homeless veterans, and innovative services for veterans in rural areas.

The bill also provides $85 million for States to build and renovate extended care facilities and $3 billion to fund new technological initiatives which will increase processing time and improve electronic record keeping.

Perhaps most importantly, the bill provides for a significant and historic change in the way we fund health care of our veterans. H.R. 3082 provides $48.2 billion in advance appropriations for fiscal year 2011 for the medical services, medical facilities, and medical administration accounts.

While the Congress has always taken on the challenges of this country, these issues have not always been shielded from partisan battles and political delays. This Congress in the past few weeks has been no exception, but there are some issues which should not be subject to politics and doubt. There is no doubt that the men and women of the armed services have bravely served our country. They have fought without question and without debate, and in doing so, they have sacrificed time with their families, risked their own well-being, and all too often they have sacrificed their lives. By providing advance appropriations for the health care of our veterans, we can take the steps to ensure that these benefits are not subject to politics as usual.

I strongly support this rule, which provides for consideration of this essential and important bill.

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

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

I appreciate the gentlewoman's yielding me the time.

Mr. Speaker, I rise in opposition to a structured rule, a structured appropriations rule, and also I am opposed to how my Democrat colleagues continue to shut out the minority voice with this structured rule.

Before taking control of the House of Representatives in 2007, our Democrat friends promised the American public that this would be the most open, honest, and most ethical Congress in history. Yet that is not the case for the past 2½ years. You heard my colleague, the gentleman Mr. FLAKE, talking about the process, the process that's happening not just today but has been happening for now 2½ years on this floor.

For the last few weeks, this Democrat majority has been forcing spending bills through the House of Representatives. My friends on the other side of the aisle have been using extremely restrictive rules to accomplish this legislative business.

During the Republican majority, the most appropriations bills considered under a restrictive rule in any single season was four, and that was back in 1997.

This majority has set a new record forcing every appropriations bill under a strict structured rule. So far the Democrat majority has limited debate on the six spending bills that the House has already passed, and today's bill is the seventh. Mr. Speaker, that is not open, honest, or ethical. Chairman OBEY set an arbitrary timeline to finish the fiscal year 2010 spending bills,

which has forced this Democrat-run Rules Committee to limit every single Republican and Democrat's chances to offer amendments on this floor. Hundreds of amendments have been offered by all of my colleagues, and they have been rejected also, rejected in an unprecedented fashion.

What the heck is the majority afraid of? Why don't they want to take the normal time, the normal process? Why won't they allow for an open and honest debate, the one that they called for?

Mr. Speaker, with that said, I would like to thank the majority in the Rules Committee for allowing at least my amendment to be made in order on the floor today. The care of our Nation's troops and veterans is extremely important to me and every single Member, I believe, of this body, and it's my hope that my amendment will pass on the House floor today. But, Mr. Speaker, every single Member should have had that opportunity. The opportunity to be able to come to this floor under an open rule to talk about the things that are important to them.

Today we are here to discuss the rule for the Military Construction and Veterans Affairs Appropriations Act of 2010, and I note that my dear friend the young gentleman from Tennessee, Mr. ZACH WAMP, is the Republican lead on this bill. And I am very pleased with the work that not only Mr. WAMP has done but how he has led in such a way to make sure that the men and women of the military understand his dedication and devotion to this process.

It's my intent to discuss the importance of the underlying bill as well as some of the concerns in the legislation, and I would also like to highlight the Democrat majority's large increase in spending across the board for appropriations bills. This is unacceptable, especially in a time of huge deficits and exceptionally high unemployment.

Mr. Speaker, I think we should aim for a balanced budget, not unlimited spending. I think this body should have to make tough decisions and set priorities, not set the bar so high, or in this case so low, for just spending so much money that we cannot and do not have to make tougher decisions.

This bill provides crucial funding needed for military construction and housing funding for our troops and their families and other quality-of-life projects, and the Congress should have to go through those projects one by one and make a determination about what is in the best interest not only for the country but also for our military.

I know that the funding priorities for all essential programs the Department of Veterans Affairs and related agencies have asked for in their budgets are important. And I also know that this bill honors our Nation's heroes who are serving in our volunteer military, those who have served, and also honors those who are fallen victims as well. This bill illustrates the deep commitment that Congress has to our military and to our veterans. And I do recognize that the gentleman Mr. WAMP and the gentleman Mr. EDWARDS from Texas as they spoke to the Rules Committee yesterday not only told that story but also a source of pride about how this Congress needs to make sure that we're paying attention to those members of our military.

I join Ranking Member LEWIS in his concern regarding the ability for the VA, however, to effectively absorb large funding increases provided by this bill. The Appropriations Committee report was critical of the slow rate of the multibillion dollar major construction account for the VA, and points out that the spending rates are ''woefully slow,'' having only spent $1.9 billion of the $4.4 billion that was appropriated between the fiscal year 2005 and fiscal year 2008. When you add fiscal year 2009 and this bill, that account then grows to $6.5 billion. I believe that the current funding project should be exhausted before receiving additional moneys. Mr. LEWIS agreed also and so did all the Republicans on the committee.

Mr. Speaker, the bill before us today includes over a 15 percent increase from fiscal year 2009 spending, which assists with TRICARE, mortgage assistance, child care, and other necessary personnel-related accounts. Yet it is important to note that a couple weeks ago, Congress passed the Defense Authorization bill, increasing defense-related funding by only 4 percent. This Nation is at war, and my Democrat colleagues only modestly increased our defense and strategic capacities, while all other appropriations bills are increasing 10, 15, 19, and even 33 percent more than last year's levels. Mr. Speaker, this disparity sends a dangerous message to our enemies and one to our troops that are in the field.

To help curb some out-of-control Democrat spending, Ranking Member JERRY LEWIS offered an amendment in the full committee that would prioritize funding increases for defense, military construction, and our veterans by providing a 6 percent increase for these programs, a 4 percent increase for homeland security, and holding all other subcommittees to a very reasonable 2 percent increase.

□ 0945

Unfortunately, the amendment was defeated. Out of the 12 appropriations bills, this amendment would have reduced the burden on the American public by $35 billion. The American people know that you shouldn't spend what you don't have, and that is exactly what this Democrat majority is doing and continues to do. According to the Congressional Budget Office, the Obama administration is on its way to doubling the national debt in 5 years. In doing so, it would drive the debt-to-GDP ratio from 41 percent today to a staggering 71 percent in the near future, 2014.

The Congressional Budget Office on Wednesday of just this week released a monthly budget review that states that the Federal budget deficit was $1.1 trillion for the first 9 months of this fiscal year. CBO states that this is more than $800 billion greater than the deficit record in June of 2008. The United States is looking at a record $1.8 trillion deficit this year alone.

Congress should be promoting policies that reduce spending and grow job growth in this country. Unemployment continues to rise while our friends on the other side of the aisle continue to tax, borrow and spend their way into record deficits. The Congressional Budget Office estimates that the unemployment benefits spending is now more than 2½ times what it was at this point last year. The current unemployment rate is over 9.5 percent for the first time since 1983.

Where are the jobs? It's a question that should continue to be asked on this floor. Where are the jobs that were promised from this economic stimulus from this President and our Speaker, NANCY PELOSI.

Mr. Speaker, now is the time when the economy should be bouncing back. But this is a time when the Democrat Congress is forcing Americans to pay for a failed trillion dollar stimulus package, a bailout for those who defaulted on their mortgages, a bailout for those who abuse their credit cards, a bailout for credit and America's bad decisionmaking from corporate offices, a new national energy tax and a possible $1.5 trillion health care reform package that will force 120 million Americans off their current health care coverage. When does the spending stop? Not today in this House.

In closing, Mr. Speaker, every Member of this body understands the importance of adequate and appropriate funding for our Nation's military and our veterans, and we give thanks to them. This bill provides the necessary benefits to our service men and women, their families and our veterans, and I am proud of that. But I would continue to point out to my friends on the other side of the aisle that we cannot tax, spend and borrow our way out of this recession. This recession is a national crisis and puts all of us at risk.

Rising unemployment and record deficits cannot be remedied with massive increases in spending. Americans back home are tightening their belts, and the United States Congress would be well advised to do the same.

Mr. Speaker, I encourage a ''no'' vote on the rule.

I reserve the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, I yield 2 minutes of my time to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. I thank Ms. PINGREE for the opportunity to speak on this rule, and I just want to thank my friends CHET EDWARDS and ZACH WAMP for their leadership and hard work in crafting this bill and their unfailing support of American servicemembers and veterans. With wars in Iraq and Afghanistan ongoing and an increasingly

high volume of men and women servicemembers returning home, funding their needs remains a top priority.

As much now as ever, Congress needs to be making critical investments in construction projects which support servicemembers, safety and quality of life at home and on the battlefield. We must also make good our promise to our soldiers returning home from war, by improving their health care facilities and services and by providing them with the best care possible. We also need to aid them in their transition to civilian life by fully funding the Department of Veterans Affairs.

Our veterans deserve a bill which honors their remarkable service in the protection of our country. That's what this bill does that we are going to hear here today. The bill increases funding for the Veterans Health Administration by $4.4 billion over last year. This improves access to medical services for veterans for key programs in treating mental health issues, assistance for homeless veterans, and measures to improve access to health care for many veterans who live in rural areas such as those in Colorado.

The bill also expands funding for essential investments in information technology which speed processing of benefits, claims, and makes needed improvements in the accuracy and efficiency with the expanded use of electronic health records. I especially want to thank the Veterans' Committee, the Appropriations Committee in taking a good look and a hard look at processing claims, which for a long time were lagging and people were not getting their claims heard. There has been a tremendous effort and focus over the last couple of years to make the claims process much quicker, much faster, much more accurate.

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

Ms. PINGREE of Maine. I yield the gentleman an additional minute.

Mr. PERLMUTTER. I would also like to thank my friends for their assistance in creating what will be a state-of-the-art health care facility in Colorado.

The veterans in Colorado have been promised for years and years and years that they would get a facility that was equal to the service they gave to this country. And with the hard work of the committee, the hard work of the Colorado delegation, assistance from both sides of the aisle, we are going to get that facility built in Colorado.

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 3 minutes to the distinguished young gentleman from Miami, a member of the Rules Committee, Mr. LINCOLN DIAZ-BALART.

Mr. LINCOLN DIAZ-BALART of Florida. I want to thank my dear friend from Texas, a great leader in this House, Mr. SESSIONS, for the time.

Mr. Speaker, I rise because this legislation that we are bringing to the floor today includes the last installment in a project that is very important to the community that I represent. The Southern Command is in the congressional district that I represent, and it is receiving in this legislation $55.4 million that completes the $237 million required for the new headquarters of the Southern Command, which is extremely important to the national security of the Nation and of the hemisphere, the defense of the hemisphere, and obviously to the community that I am honored to represent.

SOUTHCOM personnel and supporting services have contributed over $1.2 billion and over 20,000 jobs to south Florida, and south Florida is the right place for SOUTHCOM. And we have been, for many years, working to make sure that it stays in south Florida.

I want to thank Chairman EDWARDS and Ranking Member WAMP and really all of the members of the Florida delegation and others who have worked so hard in a united fashion to make this a reality, a permanent facility for SOUTHCOM.

It's in a location that is leased from the State of Florida for the great total of $1 a year, long-term lease, $1 a year. That's what it is going to be costing the taxpayer.

So I want to thank former Governor Bush, Jeb Bush, for his help, in making this a reality, as well as Governor Charlie Crist, who has also demonstrated great leadership in making this project a reality.

We have worked with the county. We have worked with Mayor Bermudez of the City of Doral. The City of Doral has been marvelous in its cooperation with the men and women of SOUTHCOM; so, too, General Craddock, with whom we began working on this important project; and then Admiral Stavridis, who has done a tremendous job as the head of SOUTHCOM, and now he is leaving us to go to Europe and defend that continent; and now General Fraser, who has joined SOUTHCOM as the new head. All of them have done a tremendous job, along with all of the men and women there at the Southern Command.

So I thank all who have had an important role in this development and wish the men and women of SOUTHCOM well as I congratulate them, because Congress has done its job in funding the new headquarters.

Ms. PINGREE of Maine. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. SMITH).

(Mr. SMITH of Washington asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Washington. Mr. Speaker, I rise today in support of the Fiscal Year 2010 Military Construction and Veterans Affairs Appropriations Act, and I thank Chairman EDWARDS and Ranking Member WAMP for their work in crafting this legislation.

As someone who represents tens of thousands of military veterans and their families, I believe that we have an obligation to provide them with the benefits and treatment they deserve for their years of service. This legislation accomplishes that by providing $109 billion for the Department of Veterans Affairs, a $14.5 billion increase over 2009, when not factoring stimulus or supplemental funding.

It is estimated that the VA will treat more than 6.1 million patients in 2010, including more than 419,000 veterans of Iraq and Afghanistan. To meet this demand, the bill provides important funding for mental health programs, assistance to homeless veterans, and to improve access for veterans in rural areas.

The bill also provides vital funding to hire additional claims processors to support the Department's continued efforts to reduce the backlog of benefits claims. I believe these are two of the most important issues that we deal with, making sure that we deal with the PTSD issues which continue to be a significant problem and also to make sure that we have the services available to provide for the large number of wounded veterans who are coming back from our wars in Iraq and Afghanistan.

I was also pleased to see that the committee included a provision to provide advanced budget authority and funding for fiscal year 2011 for medical-related accounts. This is a step to ensure that the VA health care system continues to receive a timely and predictable stream of funding without subjecting it to the delays that can arise due to the larger annual budget debates.

Again, I thank the chairman and ranking member for their work on this important legislation and urge my colleagues to support its passage.

Mr. SESSIONS. Mr. Speaker, we have a lot of members of the Republican conference who want to come down and speak about this bill, but we are joined today by the gentleman, from Georgia, Dr. GINGREY. I yield 2 minutes to the gentleman from Georgia.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman for yielding, and I stand to strongly oppose this rule on the Military Construction and Veterans Affairs Appropriations Act of 2010.

Mr. Speaker, this is unconscionable, what the Democrat majority is doing regarding these appropriations bills. I think this is about the fourth or fifth appropriation bill that we brought to the floor with a structured rule, and this has never happened, to my knowledge, in the history of this Congress.

These should be open rules so that every Member, not just members of the Appropriations Committee, the 40 or 50 members that study these bills, but every single Member of this body who represent 675,000 people across this country and these 50 States should have an opportunity to offer amendments.

I have offered 10 amendments to these five bills. Not one, not one, Mr. Speaker, has been made in order, and not one of these amendments are dilatory.

As an example, on this particular bill, the Veterans Administration Appropriation, I have an amendment that says no party, no Republican or Democratic majority should hold that bill hostage once it passes to put it in the form of a minibus, combine it with some other legislation to pass something that we don't want to pass, and hold our veterans hostage so that they don't get the pay raise they need, they don't get the benefits they need, they don't get the health care they need.

That, Mr. Speaker, is unconscionable.

□ 1000

For that reason I stand strongly opposed to this rule. The rule should be open, and the chairman of the Appropriations Committee knows that, and I challenge him to bring these bills to the floor in an open fashion, which we have always done on both sides of the aisle.

It is time to end this mendacity and this unconscionable activity. Let's all vote against this rule. Let's send it back. Let's bring forward an open rule and a fair process so that veterans in every congressional district across these 50 States will have an opportunity to be heard.

Ms. PINGREE of Maine. I'm very pleased to yield 5 minutes of my time to the Chair of the Appropriations Committee, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. I thank the gentlewoman for the time. I would like to respond to the fiction that I just heard from the previous speaker. The previous speaker indicated that never in the history of the Congress have we had structured rules for appropriation bills. I would like to suggest that he ought to read a little history.

We have 12 appropriations bills we have to bring to the floor each year. He will find that during the Republican control of this House, at least 6 of the 12 bills were brought to this floor under structured rules. He will find that almost 20 times that is the case.

Mr. GINGREY of Georgia. Will the gentleman yield?

Mr. OBEY. No, I would not. I have 5 minutes. You attacked me. I will respond without interruption. I would ask the Chair to prevent further interruptions.

The fact is that I would like to ask the House a question: Why is it that some Members of this House believe that the Appropriations Committee must bring bills to the floor that are totally open when the Ways and Means Committee, when it brings tax bills to the floor, is entitled to have a totally closed rule?

Now, there is no inherent difference between the two, but there is one historical difference, and that is that the Ways and Means Committee used to be the committee that handed out committee assignments to Members of the House. And so the message went out: ''Don't mess with the Ways and Means Committee because they determine your career path in this institution.''

There is no great historical or moral or substantive reason to have that differentiation. It is simply a question of power relationships in the House that determined that.

I would also like to point out the Appropriations Committee has the right to bring to the floor its appropriation bills without ever going to the Rules Committee, and in fact we have had subcommittee Chairs who have done that. The advantage to the Appropriations Committee in doing that is that when the bills come to the floor without going to the Rules Committee, what happens is that any legislation on an appropriation bill—which under the House Rules is off limits—any legislation will be stricken on a point of order.

I remember when Neal Smith used to bring his bill to the floor, and within about 20 minutes the bill was shredded. There were a few paragraphs left in the bill. It took about an hour to finish the bill and then Neal could go off and have a conference with the Senate and do anything he wanted to do because there were no limitations.

So it has been an advantage to individual House Members for the Appropriations Committee to go to the Rules Committee, whether or not there's a totally open rule or whether there's a structured rule, because at least then individual Members have some capacity to influence the results.

Now, we have made quite clear to the minority side we would like to proceed in as open a fashion as possible. Mr. HOYER, the majority leader, and I went to the Republican leadership weeks and weeks ago and asked them if there was some way that we could work out time agreements so that we can finish these 12 bills before we go home for the August recess.

The minority says they want us to do all of these bills individually. Not wrap them up in a CR. But then they proceeded to demand a procedure which will, in the end, result in bills going into a CR.

And so we asked the minority leadership, ''Will you agree to time limits?'' And the response was, ''Well, if we did that, our caucus would elect somebody else.''

Mr. DREIER. Will the gentleman yield?

Mr. OBEY. No, I will not yield. We asked the leadership, ''Would you be willing to go by a process in which we'll give you the opportunity to offer 10 or 15 amendments, the majority party will offer 5 or 6? You pick the amendments.'' And they said, ''No.'' They didn't want to do that.

There are a limited number of hours between now and the time we recess. If we want to get our work done, we have to limit the debate time that we spend on these bills.

So there is nothing radically new about this. We're simply trying to get the job done. And we're going to do that if it takes all summer.

Mr. SESSIONS. Mr. Speaker, I'm delighted today to yield 3 minutes to the ranking member of the Rules Committee, the distinguished young gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I thank my friend for yielding, and I'm happy to engage in a colloquy with the distinguished Chair of the Committee on Appropriations. I'll look forward enthusiastically to yielding to him after I make a couple of points.

First, the gentleman has ended his remarks by talking about the need for some kind of outside time limit. In fact, just yesterday I pulled out of my coat pocket the schedule that we have seen. We all understand that getting the appropriations work done is important. It's a priority for Democrats and Republicans alike.

The fact of the matter is the Rules Committee, with a great deal of ease, could in fact simply report out a special rule which would establish an outside time limit on the amendment process at all and we could proceed, as has been the case for the last 220 years, with an open amendment process.

Now my friend also referred to the fact, and I know that my friend from Marietta didn't say that it was unprecedented to have unstructured rules when we deal with appropriations bills, but it is unusual.

And I will remind my friend who talked about the history that back in 1997, when we did in fact have five appropriations bills considered under structured rules, it was done so after, in the case of one, it came to the floor. As our late colleague, the former chairman of the committee, Mr. Natcher, used to always say, bills should be considered as privileged.

The disparity between a measure emerging from the Ways and Means Committee and the privileged structure for consideration of appropriations bills is something that is very easily understood in the rules of the House of Representatives.

And so I'd be happy to yield to my friend if he would like to respond to the notion of the fact that we began those measures that ultimately were considered under structured rules, we began them, one, under a privileged structure, which meant that the Rules Committee did not even need to act because points of order could be raised against the work product of the measure itself and also to the point of time limits.

The Rules Committee could easily report out a rule that would establish an outside time limit. That's all we'd need to do. And then we could consider the measure under an open amendment process.

I'm happy to yield to my friend.

Mr. OBEY. Let me simply say to the gentleman, I don't see any need to continue chewing this cud over and over and over again. We've made our points.

Mr. DREIER. Mr. Speaker, if I could reclaim my time.

Mr. OBEY. I didn't ask for the time. You offered it to me and I'm accepting it.

Mr. DREIER. I would simply say to my friend, I was downstairs in the meeting and my friend stood up and began talking about the fact that we considered measures under structured rules in the past, and it's frankly important for us in the name of Democrats and Republicans alike who are denied amendments and the American people whose Representatives are not able to participate in the very important constitutional article I section 9 responsibility of appropriations here. That's why there is in fact bipartisan concern on this issue, Mr. Speaker.

Ms. PINGREE of Maine. I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, at this time I yield 5 minutes to a young man who serves as coach of our baseball team, but perhaps even better than that, just showing his acumen really as an all-American, a dedicated veteran of the first gulf war and served as a colonel in the United States Army Reserves and he's the ranking member of the House Veterans' Affairs Committee, the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. I rise today in opposition to this rule because H.R. 3082 represents a dramatic shift in the way that we provide funding for VA medical care by providing advance appropriations for medical services, medical facilities, and medical supports and compliance accounts.

Now I have some great concerns because the stress placed on the budget model could place us in the VA supplemental business. It also leaves out the IT and medical research accounts.

So my amendment that was not made in order under this rule tried to correct what I viewed as a flawed process. The amendment would have added the VA information technology systems and the VA medical and prosthetic research accounts to the other VA medical care accounts that are included in the advance appropriations section.

Now many issues were raised about the potential legislative proposals that authorize advance appropriations for certain Veterans Health Administration accounts at the Committee on Veterans Affairs' oversight hearing on the future funding of the VA, including the following: funding some accounts under an advanced appropriation and some accounts under regular fiscal appropriation could potentially create accounting complexities.

Secretary Shinseki expressed concern that the VA's information technology is very much integrated into the medical care accounts and should be considered for advance appropriation.

The Congressional Research Service observed that not including IT in advance appropriations could ''create a situation whereby, for example, VHA could not purchase computer software although it has procured medical equipment that needs the IT software,'' or would not be able to provide the necessary IT infrastructure for new Community-Based Outpatient Clinics.

CRS also pointed out the failure to include medical and prosthetic research could potentially raise an issue with regard to the timing of funding research projects and research support such as personnel costs and administrative support.

When I offered a similar amendment at the full committee markup of H.R. 1016, as amended, which is the bill that authorized the advanced appropriations proposal, it received broad bipartisan support and passed the Veterans' Affairs authorizing committee 17–8.

Since the language of my amendment was also part of the final version of the bill when it passed the House, all I was trying to do was bring consistency between H.R. 1016, as amended, and the bill before us today.

Every member of the Rules Committee voted in favor of H.R. 1016, so I'm disappointed to see that the very same provision was not made in order. The American people—in particular, our veterans—deserve a fair and open process of debate on this issue, and it's unfortunate that this opportunity has been blocked by the Rules Committee for partisan reasons.

Since open debate on this issue was disallowed, it's my hope to continue to work with Chairman EDWARDS and Ranking Member WAMP to include these accounts in next year's budget resolution and then in the 2011 appropriations bill. That's the only choice that I now have.

So I will attempt to work with you if you want to work with me. What I've learned around this place is bipartisanship is a choice. It's a choice. And I have been here now for 17 years and I've listened to Chairman OBEY not only in the majority, in the minority, and now back in the majority, and being consistent—to my good friend—is really important.

So if you can remember what you were like in the minority, be consistent to how you're like in the majority. And that's how you endure respect from all of us. And that's just my good counsel to my good friend.

Ms. PINGREE of Maine. I yield 2 minutes to a member of the Rules Committee, the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. I rise today in support of H.R. 3082, the Military Construction and Veterans Affairs Appropriation Act for fiscal year 2010, and the rule. I'd like to thank Chairman EDWARDS of the Military Construction and Veterans' Affairs Appropriation Committee as well as Chairman OBEY for their hard work and as well the dedicated work of their staff in bringing this bill before us.

This legislation truly reflects our commitment to improving the quality of life for our service men and women as well as our veterans, who have given so much to defend the freedoms that we enjoy every day.

□ 1015

In the midst of an economic crisis and a war on two fronts, fully funding the Veterans Affairs bill is critical to our country's ability to address the needs of our veterans and our military families. This bill authorizes funding for the Department of Veterans Affairs to fund a number of worthy projects, such as building housing for our troops, mental health services and grants for the construction of extended care facilities and veterans' cemeteries.

As a Coloradan, I am particularly pleased to see that the Fitzsimons Veterans Affairs Hospital in Aurora, Colorado, will receive $119 million as part of the Military Construction bill. It is absolutely crucial for the State of Colorado and for the veterans in my district to have access to quality care close to their homes.

I am very grateful to Secretary Shinseki and his staff, who invited those of us from the Colorado delegation to the Department of Veterans Affairs to make this announcement last month. They have truly recognized the urgency of completing a project that has been torn by uncertainty and going back to the drawing board for many, many years and finally moved forward in funding this Military Construction and Veterans Affairs Act. This bill will help ensure that the Obama administration continues to move quickly forward. I urge my colleagues to vote ''yes'' on the rule and vote ''yes'' on final passage of H.R. 3082.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Minnetonka, Minnesota (Mr. PAULSEN).

Mr. PAULSEN. Mr. Speaker, I rise in opposition to the rule. As Congress moves forward in the debate on health care, we should ensure that any national health care reform plan preserves the unique needs of our veterans and servicemembers as well as protects the unique identity and role of the successful programs and insurance that they depend on. If we subject these benefits to new taxation or if we foolishly fold them into a large government-run program, the quality and the availability of care for our Nation's veterans will suffer, and an erosion of the quality of these benefits could undermine recruiting, retention and, ultimately, national security.

I had hoped today to offer an amendment to make sure that any new health care program would not undercut the services currently available for our men and women in uniform. Unfortunately I was not allowed to do so today because of the closed rule. It is frustrating when good ideas cannot move forward.

Mr. Speaker, the servicemembers and veterans in our country who have served our Nation have unique health care needs that we fulfill through specific mechanisms, such as the VA, TRICARE and others. These entities are essential to ensuring that we meet our Nation's obligations to those who serve in uniform and that we do so in a

most personal and effective way. Military health benefits provide specific needed coverage that recognizes the extraordinary sacrifices that are inherent to those who serve in our military. Similarly, there are unique and specialized VA programs that recognize the government responsibilities to those who incur injuries and illness as a result of their service. Moreover, specific services and programs for families of those who have served help ensure that our grateful Nation gives back to those who have sacrificed so much for all of us. It's too bad that we are unable to move forward on my amendment because it would have recognized and protected the government's special responsibilities to our servicemembers and veterans in any health care package moving through Congress.

Ms. PINGREE of Maine. Mr. Speaker, I am the last speaker on my side, so I'm going to reserve the balance of my time until the gentleman closes for his side.

Mr. SESSIONS. Mr. Speaker, Republicans are down on the floor today talking a lot about process. But I think it's real interesting that two of our newest Members, who are from Colorado and Maine, have never even seen an open rule. They've only served for 6 months, but they could have served for almost 2 years and never would have seen an open rule on this floor. And that's really the measure of what Republicans are trying to talk about. We're teaching our newest Members what things should not look like. We need open rules.

As a result of that, Mr. Speaker, I am going to be asking for a ''no'' vote on the previous question so that we can amend this rule and allow for an open rule because that's the way we should teach, especially new Members, that open rules should be a part of regular process. There's no question that the rule the majority brings forth today will only cement the dangerous precedent that the majority has been setting now for over 2 years. It will only damage bipartisanship, and it harms us in our committees. It's a part of most conversations in committees about what this Speaker is doing.

I urge my colleagues to consider what we're about to do and to vote ''no'' to say no to this so we can allow free and open debate on appropriations bills and uphold the rights of millions of Americans—and not just for Republicans but for Democrats also because they are also being shut out by their own party. This is not open; it's not honest; and I believe the majority will come to regret this decision to close down this deliberative process here on the floor during appropriations seasons.

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

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

There was no objection.

Mr. SESSIONS. I urge a ''no'' vote on the previous question and a ''no'' vote on the rule.

Mr. Speaker, thank you for listening to Republicans today. We believe it's not just our right but the right thing to do to come and speak forthrightly about our ideas about members of the military, about VA hospitals that are in our districts and about Veterans Affairs Centers that need to operate in a more efficient way. We're proud of the men and women who serve our military. I was proud today to have the gentleman, Mr. BUYER, a Gulf War veteran, come and speak forthrightly about what we think ought to happen. We're proud of this country. We're proud of our military. But we think we also ought to make more deliberate decisions in this House.

I yield back the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, I just want to point out as we're closing that there has been a tremendous amount of conversation on the floor today about the open rule, about the process here. And I want to point out to the Members that even under an open rule, nearly two-thirds of the amendments that were submitted to the Rules Committee were in violation of House rules and would have been subject to points of order. They wouldn't have been able to proceed on the House floor. In fact, the majority of amendments you have heard about this morning from my good friend from Minnesota, from my colleague from Georgia, those are amendments that would have been in violation of House rules, would have been subject to a point of order. And while they made good points about why they wanted to have their amendments moved forward, the fact is, that wouldn't have happened today anyway, even if we had been under an open rule.

Let me say one last thing. My colleague from Texas mentioned that a few of us who are new here, who haven't been through the appropriations process under open rules—and I will say as a new Member of this body, most of the bills that come to the floor come under structured rules. There may have been a tradition in the past of appropriations bills coming under more of an open rule, but I balance that with the remarks of our colleague from the Appropriations Committee, Mr. OBEY, who talked to us this morning about the tremendous amount of work we're expected to get done. I can tell you, from my constituents back in the State of Maine, they say to me, you know, you've got a lot of work to do on renewable energy, on health care. We want to see you move forward on those issues. We want to see appropriations bills, like the one we're talking about today, that are going to provide vital services for our veterans. We want to see those get done. We want to see the Members of Congress get their work done. We don't want to listen to you with hours of endless debate, particularly on things that would be subject to points of order and wouldn't even be allowed to be discussed. We want to see you get your work done.

As a very proud member of the Rules Committee, I have the opportunity to listen to a tremendous number of the amendments that come before us; and I feel very good about the way we're moving forward with our work and about the challenges that we are facing for the American public and all that is before us and the importance of getting our work done.

I do want to remind us today that in spite of all the other conversation that has gone on, this particular rule is a vital step forward towards improving our military infrastructure and ensuring the quality care of our veterans and their families, making sure it is worthy of their sacrifice. That is why we are here on the floor this morning to talk about our veterans, to talk about military construction, to talk about making sure that we are there for them.

My home State of Maine has one of the highest populations of veterans in the country. In a State of not even 2 million people, Maine is home to over 155,000 veterans, nearly one-fifth of our population. These men and women have served without question, without politics and certainly without delay. We must make a promise to them and to all of our veterans that we will do the same. We must provide them with health care and the benefits they deserve without question, without politics and without delay. Passing H.R. 3082, we will begin to keep that promise. I urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 662 OFFERED BY MR. SESSIONS OF TEXAS

Strike the resolved clause and all that follows and insert the following:

Resolved, That immediately upon the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the house resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 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. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises

and reports the bill back to the house with a recommendation that the bill do pass, 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 VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

Ms. PINGREE of Maine. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 244, nays 174, not voting 14, as follows:

[Roll No. 526]

YEAS—244

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

NAYS—174

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

NOT VOTING—14

Barrett (SC)
Bishop (UT)
Boucher
Delahunt
Fudge
Granger
Graves
Heller
Hoekstra
Klein (FL)
Murphy, Patrick
Paul
Platts
Rohrabacher

□ 1050

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. HELLER. Mr. Speaker, on rollcall No. 526, had I been present, I would have voted "nay."

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 241, noes 179, not voting 12, as follows:

[Roll No. 527]

AYES—241

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

NOES—179

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

NOT VOTING—12

Barrett (SC)
Buyer
Farr
Fudge
Granger
Graves
Heller
Hoekstra
Klein (FL)
Murphy, Patrick
Paul
Rangel

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1058

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. HELLER. Mr. Speaker, on rollcall No. 527, had I been present, I would have voted "no."

GENERAL LEAVE

Mr. EDWARDS of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on H.R. 3082.

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

There was no objection.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 622 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3082.

□ 1058

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 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, with Ms. BALDWIN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time. The gentleman from Texas (Mr. EDWARDS) and the gentleman from Tennessee (Mr. WAMP) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

□ 1100

Mr. EDWARDS of Texas. Madam Chair, I yield myself such time as I may consume.

Madam Chair, Members, on behalf of America's service men and women, our veterans, and their families, it is a privilege for me to present the Fiscal Year 2010 Military Construction/Veterans Affairs Appropriations bill.

I believe this bill and the work we have done since January of 2007 is work that all of us, Democrats and Republicans alike, can be very proud of. In this time of war, we have continued our tradition of a bipartisan Military Construction and Veterans Affairs Appropriations bill, a bill that honors in a meaningful way the service and sacrifice of our service men and women, our veterans, and their families.

In the past 2½ years, along with the passage of this bill, the Congress will have increased veterans health care and benefits funding by 58 percent. That is unprecedented in the history of this country, and I believe our veterans and their families have earned every dime of that funding.

In addition, we have a new 21st-century GI Education bill. And, recently, President Obama signed into law a provision amending that bill that will provide a college scholarship to every child who has lost a mother or father in military service to our country since September 11, 2001.

In 2½ years, this Congress will have done a number of things on behalf of our veterans and troops, including adding 8,300 VA processors to reduce the

unconscionable backlog that veterans are having to stand in in order to receive their earned benefits.

We will have provided funding for an additional 115 VA community-based outpatient clinics, and this bill adds 30 more. We will have provided an additional 42 vet centers, and this bill adds 28 more.

We have allowed the Veterans Health Administration to hire an additional 2,657 doctors, 11,509 nurses, and other critical additional staff. We will increase the travel reimbursement rate, the per-mileage reimbursement rate for veterans having to travel, in some cases, hundreds of miles to VA hospitals—which has not been increased since 1979—we will increase that from 11 cents per mile to 41.5 cents per mile. To many in America, that extra 30 cents may not sound like much. To many of America's finest, our veterans, it's the difference between them being able to afford to drive to get the VA health care they need and deserve, or not.

Our increased funding for veterans in this bill and over the past 2½ years means our veterans have better access to health care they need and deserve and have earned. It means improved access to health care for veterans in rural areas. And it means the opening of the doors of our VA hospitals and clinics to many middle- and low-income veterans that have not been allowed the opportunity that they've earned through their military service. Additionally, these resources ensure that our veterans will have shorter waiting times for doctor appointments.

We have also worked hard to make sure that our service men and women know that Congress deeply respects the sacrifices that they and the unsung heroes of America's defense—their families—have made each and every day to keep our Nation safe. We've heard time and again in testimony that the best support we can give our military when they're deployed overseas is the knowledge that their families are cared for here at home. We have listened to that voice and have tried to fund a number of key initiatives for our troops.

For example, in the past year, this subcommittee will have added $2.8 billion for new military hospitals so that our service men and women know that their families will get the best possible health care in high-quality facilities while they are serving overseas. We've added $1 billion for new child care centers to serve 20,000 additional military children, and $570 million in additional funding for barracks because Congress needs to show our volunteer forces from day one that we appreciate their decision to serve.

The Subcommittee for Military Construction and Veterans' Affairs did not accomplish this alone. There are several key leaders that worked tirelessly behind the scenes to support these efforts. I want to especially commend Speaker PELOSI, who promised over 3 years ago that if she became Speaker she would make supporting our veterans and their families one of Congress' highest priorities. Speaker PELOSI has kept that promise to those who have kept their promise to serve our Nation, and I salute her for that.

I want to salute Chairman OBEY, another one of the unsung heroes in supporting America's veterans, our military, the service men and women, and their families. While Mr. WAMP and I, as ranking member and chairman of the subcommittee, have often been out front on this, Chairman OBEY has provided the allocations, the unprecedented historic increased allocations for our subcommittee that has allowed us to accomplish many of the goals and achievements that I have mentioned in the last few minutes.

In particular, above all other things that he has done, I want to thank Chairman OBEY for providing a green light and encouraging and supporting and facilitating a historic initiative in this bill, which is, for the first time ever we will provide forward funding for veterans health care funding. That would not have happened without Mr. OBEY's support.

In addition, Chairman SPRATT—not a member of our subcommittee, but the chairman of the House Budget Committee—has played a key role, along with Chairman FILNER, the chairman of the Veterans' Affairs Committee.

And, finally, but absolutely not least, I want to thank my colleague, my friend, and the ranking member of this committee, Mr. WAMP of Tennessee. He has been a partner and a leader at every step of the way in supporting our troops and our veterans and their families. His commitment to our military and our veterans is deep, is genuine, and he puts it to work every day by working hard on their behalf. I want to thank him for his vital role in not only shaping this bill, but our bill last year as well.

Madam Chair, let me try to focus, rather than on a long list of numbers, on some of the major initiatives in this bill.

As I referenced, for the first time in history we provide an advanced appropriation for VA medical care. This will allow the VA to invest taxpayer dollars more efficiently and more effectively. And I want to thank Mr. OBEY, Mr. SPRATT, Mr. WAMP and Speaker PELOSI for making this possible. I want to salute America's veteran service organizations, leaders of our veterans organizations who have made this one of their highest priorities.

Second, we provide $450 million to build new troop housing for Army trainees, over 60,000 of whom are presently living in barracks that don't even meet minimum DOD standards. You know, 18- and 19-year-old military recruits don't have many lobbyists running around Capitol Hill on their behalf, but they deserve our Nation's respect and support for their decision to serve in the military.

Third, we provide $200 million for the Guard and Reserve Construction Initiative, recognizing the vital role these troops are playing in Iraq and Afghanistan and in our Nation's defense. And particularly, in addition to his other efforts, I want to thank Mr. WAMP for taking a leadership role on this Guard and Reserve Initiative.

Fourth, this bill begins a process of funding our operations in Iraq and Afghanistan through the regular appropriations process, and we include $1.4 billion for vital military construction to support our troops in Afghanistan.

Fifth, recognizing that the mental wounds of war can sometimes be as painful and long lasting as the physical wounds of war, we provide $4.6 billion for the VA to continue its improvements in PTSD and mental health care for America's vets.

Six, this bill includes funding for the 1,200 new claims processors to reduce the backlog of veterans receiving the benefits they've earned.

Seven, this bill also continues to open up, as I referenced briefly, VA medical care to more middle- and low-income veterans, many of whom have been locked out since a cap was placed on income thresholds back in 2003.

Finally, and this is important, we want to ensure that the historic increases for VA health care and benefits, that those dollars are spent wisely. And I know Mr. WAMP and I share a strong commitment to this; we want to see that every dime of that is spent for the highest priority needs of our veterans, so together we supported increasing the VA Office of Inspector General by $19.2 million. And we have every intention, through our subcommittee, of exercising increased oversight of the VA to see that these tax dollars are spent effectively and efficiently.

Just a few basic numbers: overall, this bill totals $77.9 billion in discretionary funding for fiscal year 2010. This is $239 million above President Obama's request and $5 billion more than fiscal year 2009. The bill will include $48.2 billion in fiscal year 2011 advanced funding for VA medical services, medical support and compliance. and medical facilities, an 8.3 percent increase over the historic funding level of 2010.

In military construction, family housing, and BRAC, the bill provides $24.6 billion and fully funds BRAC 05 at $7.5 billion. For the VA in fiscal year 2010, the bill provides $53 billion in discretionary funding. This is $5.4 billion above the 2009 funding and matches President Obama's VA request, which I should point out was the largest increase requested by any President in over three decades. The fiscal year 2010 increase for the Veterans Health Administration is $4.4 billion, which is 11 percent over fiscal year 2009.

Finally, I want to thank the people who work every day—in fact, day and night—behind the scenes without public applause for our veterans and our troops and their families. These are the people who make up the staff of the

Military Construction and VA Appropriations Subcommittee, and I want to thank them by name: the minority staff, led by Martin Delgado, Liz Dawson and Kelly Shea, and Erin Fogelman and Juan Alvarez from Mr. WAMP's staff. The majority staff: led by my subcommittee clerk Carol Murphy, Tim Peterson, Mary Arnold, Walter Hearne, and Donna Shahbaz, and Lindsey Davis on my staff.

I would also like to add a special thanks to John Conger, who has recently left my staff to work for the military as an employee of the Pentagon. All of these people have helped continue the long, proud tradition and legacy of this subcommittee to work on a bipartisan—frankly, a nonpartisan—basis, always putting our troops and veterans first. And as I say that, I once again thank our ranking member for always fighting and putting first our troops and our veterans.

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2010 (H.R. 3082)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE					
Military construction, Army	4,692,648	3,660,779	3,630,422	-1,062,226	-30,357
Rescission	-51,320	---	-59,500	-8,180	-59,500
Emergency appropriations (P.L. 111-5)	180,000	---	---	-180,000	---
Overseas contingency operations	---	923,884	924,484	+924,484	+600
Overseas contingency operations (P.L. 111-32)	1,182,989	---	---	-1,182,989	---
Overseas contingency operations (P.L. 111-32) (emergency)	143,242	---	---	-143,242	---
Overseas contingency operations (P.L. 111-32) (rescission) (emergency)	-143,242	---	---	+143,242	---
Total	6,004,317	4,584,663	4,495,406	-1,508,911	-89,257
Military construction, Navy and Marine Corps	3,333,369	3,763,264	3,757,330	+423,961	-5,934
Emergency appropriations (P.L. 111-5)	280,000	---	---	-280,000	---
Overseas contingency operations (P.L. 111-32)	235,881	---	---	-235,881	---
Total	3,849,250	3,763,264	3,757,330	-91,920	-5,934
Military construction, Air Force	1,117,746	1,145,434	1,359,171	+241,425	+213,737
Rescission	-20,821	---	---	+20,821	---
Emergency appropriations (P.L. 111-5)	180,000	---	---	-180,000	---
Overseas contingency operations	---	474,500	474,500	+474,500	---
Overseas contingency operations (P.L. 111-32)	281,620	---	---	-281,620	---
Total	1,558,545	1,619,934	1,833,671	+275,126	+213,737
Military construction, Defense-Wide	1,695,204	3,097,526	2,743,526	+1,048,322	-354,000
Rescission	-3,589	---	-25,800	-22,211	-25,800
Emergency appropriations (P.L. 111-5)	1,450,000	---	---	-1,450,000	---
Overseas contingency operations	---	6,600	---	---	-6,600
Overseas contingency operations (P.L. 111-32)	661,552	---	---	-661,552	---
Total	3,803,167	3,104,126	2,717,726	-1,085,441	-386,400
Total, Active components	15,215,279	13,071,987	12,804,133	-2,411,146	-267,854
Military construction, Army National Guard	736,317	426,491	529,129	-207,188	+102,638
Rescission	-1,400	---	---	+1,400	---
Emergency appropriations (P.L. 111-5)	50,000	---	---	-50,000	---
Total	784,917	426,491	529,129	-255,788	+102,638
Military construction, Air National Guard	242,924	128,261	226,126	-16,798	+97,865
Emergency appropriations (111-5)	50,000	---	---	-50,000	---
Total	292,924	128,261	226,126	-66,798	+97,865
Military construction, Army Reserve	282,607	374,862	432,516	+149,909	+57,654
Military construction, Navy Reserve	57,045	64,124	125,874	+68,829	+61,750
Military construction, Air Force Reserve	36,958	27,476	103,169	+66,211	+75,693
Total, Reserve components	1,454,451	1,021,214	1,416,814	-37,637	+395,600
Total, Military construction	16,669,730	14,093,201	14,220,947	-2,448,783	+127,746
Appropriations	(12,194,818)	(12,688,217)	(12,907,263)	(+712,445)	(+219,046)
Rescissions	(-77,130)	---	(-85,300)	(-8,170)	(-85,300)
Emergency appropriations	(2,190,000)	---	---	(-2,190,000)	---
Overseas contingency operations	(2,362,042)	(1,404,984)	(1,398,984)	(-963,058)	(-6,000)
North Atlantic Treaty Organization Security Investment Program	230,867	276,314	234,914	+4,047	-41,400
Overseas contingency operations (P.L. 111-32)	100,000	---	---	-100,000	---
Total	330,867	276,314	234,914	-95,953	-41,400

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2010 (H.R. 3082)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
Family housing construction, Army	646,580	273,236	273,236	-373,344	---
Emergency appropriations (111-5)	34,507	---	---	-34,507	---
Total	681,087	273,236	273,236	-407,851	---
Family housing operation and maintenance, Army	716,110	523,418	523,418	-192,692	---
Emergency appropriations (P.L. 111-5)	3,932	---	---	-3,932	---
Total	720,042	523,418	523,418	-196,624	---
Family housing construction, Navy and Marine Corps	380,123	146,569	146,569	-233,554	---
Family housing operation and maintenance, Navy and Marine Corps	376,062	368,540	368,540	-7,522	---
Family housing construction, Air Force	395,879	66,101	66,101	-329,778	---
Emergency appropriations (P.L. 111-5)	80,100	---	---	-80,100	---
Total	475,979	66,101	66,101	-409,878	---
Family housing operation and maintenance, Air Force	594,465	502,936	502,936	-91,529	---
Emergency appropriations (P.L. 111-5)	16,461	---	---	-16,461	---
Total	610,926	502,936	502,936	-107,990	---
Family housing construction, Defense-Wide	---	2,859	2,859	+2,859	---
Rescission	-6,040	---	---	+6,040	---
Total	-6,040	2,859	2,859	+8,899	---
Family housing operation and maintenance, Defense-Wide	49,231	49,214	49,214	-17	---
Department of Defense Family Housing Improvement Fund	850	2,600	2,600	+1,750	---
Homeowners assistance fund	4,500	23,225	23,225	+18,725	---
Emergency appropriations (P.L. 111-5)	555,000	---	---	-555,000	---
Total	559,500	23,225	23,225	-536,275	---
Total, Family housing	3,847,760	1,958,698	1,958,698	-1,889,062	---
Appropriations	(3,163,800)	(1,958,698)	(1,958,698)	(-1,205,102)	---
Rescissions	(-6,040)	---	---	(+6,040)	---
Emergency appropriations	(690,000)	---	---	(-690,000)	---
Chemical demilitarization construction, Defense-Wide	144,278	146,541	146,541	+2,263	---
Base realignment and closure:					
Base realignment and closure account, 1990	458,377	396,768	536,768	+78,391	+140,000
Base realignment and closure account, 2005	8,765,613	7,479,498	7,479,498	-1,286,115	---
Overseas contingency operations (P.L. 111-32)	263,300	---	---	-263,300	---
Total	9,028,913	7,479,498	7,479,498	-1,549,415	---
Total, Base realignment and closure	9,487,290	7,876,266	8,016,266	-1,471,024	+140,000
Air National Guard Fire Stations (Sec. 131)	28,000	---	---	-28,000	---
Army National Guard Aviation and Training (Sec. 132)	147,000	---	---	-147,000	---
Total, title I	30,654,925	24,351,020	24,577,366	-6,077,559	+226,346
Appropriations	(25,132,753)	(22,946,036)	(23,263,682)	(-1,869,071)	(+317,646)
Rescissions	(-83,170)	---	(-85,300)	(-2,130)	(-85,300)
Emergency appropriations	(2,880,000)	---	---	(-2,880,000)	---
Overseas contingency operations	(2,725,342)	(1,404,984)	(1,398,984)	(-1,326,358)	(-6,000)

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2010 (H.R. 3082)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions	43,111,681	47,218,207	47,218,207	+4,106,526	---
Readjustment benefits	3,832,944	8,663,624	8,663,624	+4,830,680	---
Veterans insurance and indemnities	42,300	49,288	49,288	+6,988	---
Veterans housing benefit program fund (indefinite)	2,000	23,553	23,553	+21,553	---
(Limitation on direct loans)	(500)	(500)	(500)	---	---
Credit subsidy	-246,000	-133,000	-133,000	+113,000	---
Administrative expenses	157,210	165,082	165,082	+7,872	---
Guaranteed Transitional Housing Loans for Homeless Veterans	(750)	(750)	(750)	---	---
Vocational rehabilitation loans program account	61	29	29	-32	---
(Limitation on direct loans)	(3,180)	(2,298)	(2,298)	(-882)	---
Administrative expenses	320	328	328	+8	---
Native American veteran housing loan program account	646	664	664	+18	---
Total, Veterans Benefits Administration	46,901,162	55,987,775	55,987,775	+9,086,613	---
Veterans Health Administration					
Medical services	30,969,903	34,704,500	34,704,500	+3,734,597	---
Advance appropriation, FY 2011	---	---	37,136,000	+37,136,000	+37,136,000
Subtotal	30,969,903	34,704,500	71,840,500	+40,870,597	+37,136,000
Medical support and compliance	4,450,000	5,100,000	4,900,000	+450,000	-200,000
Advance appropriation, FY 2011	---	---	5,307,000	+5,307,000	+5,307,000
Subtotal	4,450,000	5,100,000	10,207,000	+5,757,000	+5,107,000
Medical facilities	5,029,000	4,693,000	4,893,000	-136,000	+200,000
Emergency appropriations (P.L. 111-5)	1,000,000	---	---	-1,000,000	---
Advance appropriation, FY 2011	---	---	5,740,000	+5,740,000	+5,740,000
Subtotal	6,029,000	4,693,000	10,633,000	+4,604,000	+5,940,000
Medical and prosthetic research	510,000	580,000	580,000	+70,000	---
Medical care cost recovery collections:					
Offsetting collections	-2,544,000	-2,954,000	-2,954,000	-410,000	---
Appropriations (indefinite)	2,544,000	2,954,000	2,954,000	+410,000	---
Total, Veterans Health Administration	41,958,903	45,077,500	93,260,500	+51,301,597	+48,183,000
Appropriations	(40,958,903)	(45,077,500)	(45,077,500)	(+4,118,597)	---
Emergency appropriations	(1,000,000)	---	---	(-1,000,000)	---
Advance appropriations, FY 2011	---	---	(48,183,000)	(+48,183,000)	(+48,183,000)
National Cemetery Administration					
National Cemetery Administration	230,000	242,000	250,000	+20,000	+8,000
Emergency appropriations (P.L. 111-5)	50,000	---	---	-50,000	---
Total, National Cemetery Administration	280,000	242,000	250,000	-30,000	+8,000
Emergency appropriations	(50,000)	---	---	(-50,000)	---
Departmental Administration					
General operating expenses	1,801,867	2,218,500	2,083,700	+281,833	-134,800
Emergency appropriations (P.L. 111-5)	150,000	---	---	-150,000	---
Subtotal	1,951,867	2,218,500	2,083,700	+131,833	-134,800

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2010 (H.R. 3082)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
Information technology systems	2,489,391	3,307,000	3,307,000	+817,609	---
Emergency appropriations (P.L. 111-5)	50,000	---	---	-50,000	---
Subtotal	2,539,391	3,307,000	3,307,000	+767,609	---
Office of Inspector General	87,818	107,000	107,000	+19,182	---
Emergency appropriations (P.L. 111-5)	1,000	---	---	-1,000	---
Subtotal	88,818	107,000	107,000	+18,182	---
Construction, major projects	923,382	1,194,000	1,194,000	+270,618	---
Construction, minor projects	741,534	600,000	726,800	-14,734	+126,800
Grants for construction of State extended care facilities	175,000	85,000	85,000	-90,000	---
Emergency appropriations (P.L. 111-5)	150,000	---	---	-150,000	---
Subtotal	325,000	85,000	85,000	-240,000	---
Grants for the construction of State veterans cemeteries	42,000	42,000	42,000	---	---
Total, Departmental Administration	6,611,992	7,553,500	7,545,500	+933,508	-8,000
Appropriations	(6,260,992)	(7,553,500)	(7,545,500)	(+1,284,508)	(-8,000)
Emergency appropriations	(351,000)	---	---	(-351,000)	---
Administrative Provisions					
IRS income verification	-2,000	---	---	+2,000	---
Sec. 160 Filipino Veterans Compensation Fund (P.L. 110-329) (emergency)	198,000	---	---	-198,000	---
Total, title II	95,948,057	108,860,775	157,043,775	+61,095,718	+48,183,000
Appropriations	(94,349,057)	(108,860,775)	(108,860,775)	(+14,511,718)	---
Emergency appropriations	(1,599,000)	---	---	(-1,599,000)	---
Rescissions (emergency appropriations)	---	---	---	---	---
Advance appropriations, FY 2011	---	---	(48,183,000)	(+48,183,000)	(+48,183,000)
(Limitation on direct loans)	(3,680)	(2,798)	(2,798)	(-882)	---
Discretionary	(49,205,132)	(53,039,103)	(101,222,103)	(+52,016,971)	(+48,183,000)
Mandatory	(46,742,925)	(55,821,672)	(55,821,672)	(+9,078,747)	---
TITLE III - RELATED AGENCIES					
American Battle Monuments Commission					
Salaries and expenses	59,470	60,300	61,800	+2,330	+1,500
(By transfer)	(500)	---	---	(-500)	---
Foreign currency fluctuations account	17,100	17,100	17,100	---	---
Total, American Battle Monuments Commission	76,570	77,400	78,900	+2,330	+1,500
U.S. Court of Appeals for Veterans Claims					
Salaries and expenses	30,975	27,115	27,115	-3,860	---
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses	36,730	37,200	42,500	+5,770	+5,300

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2010 (H.R. 3082)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
Armed Forces Retirement Home					
Operation and maintenance	54,985	62,000	62,000	+7,015	---
Capital program	8,025	72,000	72,000	+63,975	---
Total, Armed Forces Retirement Home	63,010	134,000	134,000	+70,990	---
Total, title III	207,285	275,715	282,515	+75,230	+6,800
(By transfer)	(500)	---	---	(-500)	---
Grand total	126,810,267	133,487,510	181,903,656	+55,093,389	+48,416,146
Appropriations	(119,689,095)	(132,082,526)	(132,406,972)	(+12,717,877)	(+324,446)
Rescissions	(-83,170)	---	(-85,300)	(-2,130)	(-85,300)
Emergency appropriations	(4,479,000)	---	---	(-4,479,000)	---
Advance appropriations, FY 2011	---	---	(48,183,000)	(+48,183,000)	(+48,183,000)
Overseas contingency operations	(2,725,342)	(1,404,984)	(1,398,984)	(-1,326,358)	(-6,000)
(By transfer)	(500)	---	---	(-500)	---
(Limitation on direct loans)	(3,680)	(2,798)	(2,798)	(-882)	---
Scorekeeping adjustments:					
Emergency appropriation defense	-2,880,000	---	---	+2,880,000	---
Emergency appropriation non-defense	-1,599,000	---	---	+1,599,000	---
Veterans Health Administration:					
Less advance appropriations	---	---	-48,183,000	-48,183,000	-48,183,000
Overseas contingency operations (P.L. 111-32)	---	---	6,000	+6,000	+6,000
Total, adjustments	-4,479,000	---	-48,177,000	-43,698,000	-48,177,000
Total (including adjustments)	122,331,267	133,487,510	133,726,656	+11,395,389	+239,146

With that, I reserve the balance of my time.

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

It is, indeed, a high privilege and a great honor to stand on the floor today with Chairman EDWARDS and present the 2010 Military Construction Veterans Affairs and Related Agencies Appropriations bill.

Indeed, this bill is not about us, it's not about our individual districts. It's about them, those that volunteer to serve our country in the uniform of our Armed Forces, past, present, and future, their willingness to stand between a threat and our civilian population, extend freedom from this generation to the next, and join the thousands of others that have preserved our freedoms and protected our way of life.

This is a very important bill; it is worthy of our support. It is a bipartisan product. As the chairman said earlier, this bill is not pushed by lobbyists or outside interests other than the veteran service organizations and the families of those that are serving and have served.

It is our honor, and frankly our sacred duty, to make sure that we give these great Americans what they deserve and what they need. I think if you ask our men and women in harm's way today, what can we do for you, the first thing they would say is take care of our families while we're serving and, when we come home, support us. This bill does that, and I'm grateful for that.

I can't thank Chairman EDWARDS enough. He is diligent, he is fair, he is honorable, and he is totally committed to these men and women in uniform. And we are working together to guarantee the efficiencies of these resources and the investments that we're making.

This bill funds the needs for military construction and family housing for our troops, their families, the quality of life construction projects, and provides funding for all the programs that the Veterans Administration and related agencies have asked for in their budget request. This bill literally touches every soldier, sailor, aviator, marine, military spouse, child, every veteran who participates in VA programs; and it takes good care of our national cemeteries and monuments that are funded in this bill as well.

We worked together through 18 hearings. We asked a lot of questions; we had very good witnesses. So a totally cooperative effort.

I want to thank all of our subcommittees from both sides. Specifically today I want to thank Mr. FARR and Mr. CRENSHAW, who really supported the chairman and myself through this process, Mr. FARR as vice chairman, Mr. CRENSHAW when I could not be there on certain days; outstanding work by them.

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This bill reflects bipartisan input and cooperation, and that is the tradition of this bill, and we have honored that tradition and worked very well together, and it truly is a bipartisan bill.

I want to just talk about a couple of initiatives in the bill without going into specific numbers because Chairman EDWARDS has already highlighted many of the numbers.

The Guard and Reserve initiative is extremely important because we have been fighting terrorists since September the 11th, 2001. The op tempo of our National Guard and Reserve forces remains at a very high level. It's very likely to remain that way for the foreseeable future. The Guard and Reserve have had more than 719,000 activations since September the 11th, including the current level of 142,000. So I'm pleased to join Chairman EDWARDS in supporting the additional $200 million in this bill to address urgent unfunded requirements for the Army and Air National Guard and for the Reserve forces of the Army, Navy, Marine Corps, and Air Force.

On BRAC, the BRAC 2005 account in the President's budget request is $7.5 billion. The department and the services have testified that it's going to be absolutely critical for them to have this funding on October 1 of this year in order to meet their September 15, 2011, statutory deadline to complete BRAC 2005. I will continue to work with Chairman EDWARDS to make sure that this gets done on time. However, the House-passed defense authorization bill cuts $350 million from this BRAC account for this year on the cost of the provision that requires prevailing wage equivalency with Hawaii for military construction on Guam related to the relocation of our Marines from Japan. The CBO has scored this provision as costing $10 billion over the next 10 years. That's twice the amount of the entire relocation from Japan to Guam, and this is the largest Milcon investment in a generation, and it's really important that we address this issue throughout this process. I spoke at the Rules Committee yesterday to raise this issue. We have spoken with the leadership of the House. We have spoken with the leadership of the Congress to say this is a problem and it has to be addressed as this bill moves forward and as the process moves forward because we simply can't afford to double the cost of the relocation from Japan to Guam based on a prevailing wage issue. It's too much. Too much. We've got to resolve it.

On the advanced appropriations issue, the chairman spoke eloquently about this. We reached a bipartisan agreement. I am very pleased with the way they allowed Ranking Member Mr. LEWIS and me to weigh in because none of us want to retreat from our constitutional prerogative or obligation we have to oversee all the funding on an annual basis. However, we share the goal of making sure that the VA has the money they need in a timely manner and can make decisions that maximize their effectiveness because it's a big bureaucracy, and when the money is in doubt, the changes and reforms necessary to improve efficiency can't be met. The bill contains $48.2 billion for advanced appropriations for medical services, medical support and compliance, and medical facilities, which is $3.7 billion above the amount recommended in the fiscal year 2010 bill on these accounts.

On VA spending I continue to be concerned, as is Ranking Member LEWIS, about the ability of the VA to absorb large funding increases provided in this bill. I'm very pleased to support the increases, but it is absolutely our job to make sure not just that we raise the funding levels but that the money is well spent, spent in a timely manner, that it's effectively spent, and that there is accountability through the entire process. So we continue to raise this issue. I think there is a bipartisan commitment to this, and I want to point that out as well.

Mr. LEWIS of California. Will the gentleman yield?

Mr. WAMP. I'm happy to yield to the ranking member.

Mr. LEWIS of California. It had not been my intention to speak on this measure in order to save time, but you're making a point that's really very fundamental. I would like to commend both of you, the chairman and the ranking member, for the fabulous job here.

But, most importantly, some years ago I had the opportunity to Chair the VA Appropriations Subcommittee. During those years, we were most concerned that, while there was bipartisan support on the House floor and funding rose for veterans, that the various organizations that support funding and veterans here in Washington were not helping us much out there where the people really get their service at the veterans hospitals. There has been a radical change in our ability to make sure that service is being delivered effectively. And it's due to the work of the two of you and the bipartisan effort here that we have had this success. So thank you.

Mr. WAMP. Reclaiming my time, on this same front, the information technology account is a significant increase, $833 million above the 2009 enacted level, an increase of $559 million above the 2009 level when the reprogramming action that was approved is taken into consideration. It is a large, unchecked spending increase to one account, and the GAO and the OIG and others have documented the VA's inability to effectively manage these resources. I agree with Secretary Shinseki when he testified that he's going to need IT to be a key part of his plan to transform the VA. However, with the documented concerns about this account, it remains doubtful that this will occur.

Not more than 3 hours after our subcommittee markup, the staff participated in a briefing at the request of VA's Assistant Secretary for IT. The

purpose of this briefing was to provide the committee an update on a thorough analysis that the VA was undertaking to review their IT portfolio. The VA reported that there are a number of IT programs that are more than 13 months behind schedule and more than 50 percent over budget. We asked for the list of these projects along with the 2009 and 2010 costs for these programs. More than 3 weeks have now passed, and the VA has yet to provide the list to show the costs for these troubled IT projects. That is an example of how increasing the funding can be very helpful if the checks are in place to make sure that the money gets to where it's supposed to go. So it's not just increasing the funding; it's making sure that the veterans benefit from this increased funding, to make sure that the bureaucracy of the VA is held accountable, to make sure that we insist on efficiencies and that the money flows down in a timely manner.

And then the National Cemetery Administration—I want to note the increased funding for this account, $20 million above the 2009 enacted level of $230 million, and that will go a long way to allow the VA to meet the current needs as well as giving the ability to look at cemetery expansion in areas where expansion is needed. That includes Chattanooga, where we have a very historic national cemetery.

Without mentioning names, because the chairman already has, I can't say enough about this professional staff, those behind me, those behind him. It's an honor for all of us to be part of this team. I don't think there is a higher privilege that any of us could ask for than to serve the men and women in uniform of our Armed Forces past, present, and future.

Madam Chairman, as I conclude, I want to thank Mr. LEWIS and Mr. OBEY, who serve as the distinguished ranking member and chairman of this committee. This is a good bill. It deserves our support. I look forward to continuing our work through the conference committee, and I want to encourage Chairman EDWARDS and Chairman OBEY to insist that we have a conference committee, that we meet with the Senate, that we look eye to eye and we resolve any of our differences. I think that is the regular order that we desire to return to.

Madam Chairman, I reserve the balance of my time.

Mr. EDWARDS of Texas. Madam Chair, if there is a single unsung hero in this Congress on behalf of America's veterans, it's the gentleman from Wisconsin, the chairman of the full Appropriations Committee, Mr. OBEY. And for that reason, I yield 2 minutes to him for any remarks he would care to make.

Mr. OBEY. I thank the gentleman for yielding.

I simply have one question for the gentleman from Tennessee. Are you really sure you want us to meet with the Senate?

Mr. WAMP. I'm running for Governor, sir.

Mr. OBEY. Does that mean you're running away from the Senate?

Madam Chair, let me simply congratulate both the gentleman from Tennessee and the gentleman from Texas for the fine work they have done on this bill. I think every Member of the House can be proud of what has happened in terms of our delivering of benefits to veterans on the health care front and on the education front.

Over the past 3 years or so, we have had very significant increases in veterans health benefits. We also last year passed a landmark, an historic, expansion of the GI Bill education benefits by passage of the Webb amendment. In the supplemental appropriation bill this year, we enhanced the ability of spouses and children of veterans to receive transfer benefits to allow them to use the education benefits that would otherwise have accrued to a veteran. There had been a hole in the law which did not include the children of veterans who had died, and that has been corrected, and now this bill goes a whole lot more down the road in dealing with their needs.

When we go into wars, we have an obligation to provide all the support that's necessary to the warriors during and after the wars, and that's in part what this bill tries to do. And I congratulate both gentlemen for the work they have done and urge support for the bill.

Mr. WAMP. Madam Chairman, at this time I yield 3 minutes to the former chairman of the House Appropriations Committee and the current ranking member of the Defense Appropriations Subcommittee who also serves as a very valuable member of our subcommittee, Mr. YOUNG of Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding to me.

Madam Chairman, I just want today to start by saying most of us in our jobs have parts of our job that we like better than other parts of our job. Serving on this subcommittee is part of the job that I really like, not only because of the importance of the subject, dealing with and providing for the members of our military and those veterans who have served in the past in the military and, as Mr. WAMP said, those who will serve in the future, but also because of the way this subcommittee does its work. With the leadership of Chairman EDWARDS and the leadership of Ranking Member ZACH WAMP, this subcommittee works together for the good of this country. And while we may have some objection to the process on how appropriations bills are brought to the floor without totally open rules, you will be hard-pressed to find something wrong with this bill or some reason to vote against this bill. It's just not there.

There are some problems in the Veterans Administration, which is a huge bureaucracy, that can't be solved by money. The money that the committee has made available adequately meets the requirements as proposed to us by the administration.

There is something else that this committee does that seldom gets mentioned. And I want to just take a brief comment and talk about—General Colin Powell was visiting in Europe. General Powell was asked a rather critical question that, in effect, the question criticized the United States for our arrogance and how we do things that are not good for other people. And General Powell thought for a minute, and he said, You know, the only thing that we have asked from you in Europe is enough ground to bury our dead.

There are 22 American cemeteries in Europe. The subcommittee has responsibility to provide funding to maintain those military cemeteries, and they do a good job and they are beautiful. And for those Members who haven't had a chance to visit them, you really should.

□ 1130

There are 22 American cemeteries, graves of 106,757 American soldiers who lost their lives freeing the people of Europe from the oppression of Hitler's Nazis.

This subcommittee has that responsibility and does a really good job, and I am proud to work with CHET EDWARDS and I am proud to work with ZACH WAMP and all the other members of the subcommittee and the staff who are so dedicated to meeting our mission, to doing the job that we were responsible for doing.

As I want to say to our chairman and to my ranking member, this is the part of the job that I really like around here. There are a lot of other parts that I like too, but I really like this one. Working with you two gentlemen is just very, very special.

This bill appropriates $108.9 billion for the Department of Veterans Affairs for 2010, a 15.4 percent increase in the funds for veterans medical and services available this year. This bill funds the expanded GI Bill benefits authorized last year by the 110th Congress, it funds an additional 1,200 claims processors to reduce the backlog of veterans' disability claims, and it expands programs to help homeless veterans.

Our subcommittee also reaffirms its longstanding support for veterans medical care programs by providing $34.7 billion for VA medical services, a 13 percent increase over current year funding. The members of our subcommittee also approved a new method of funding veterans medical care to ensure that the uncertainty of our legislative cycle does not negatively impact the ability of the Department of Veterans Affairs to plan for and deliver the best in medical care for those who served our nation. In addition to providing funding for VA medical care in Fiscal Year 2010, it also provides advanced funding for the following year, Fiscal Year 2011.

Our committee also continues to place the highest priority on providing the best care and services for our service members who have returned from Iraq and Afghanistan and have

been diagnosed with Post Traumatic Stress Disorder and Traumatic Brain Injury. One of our nation's centers for the treatment of PTSD and TBI is the Department of Veterans Affairs Medical Center at Bay Pines, which I have the privilege to represent. Included in the bill we consider today is $96,800,000 to build a state-of-the-art medical facility at Bay Pines to better screen our returning service members for mental health problems and to provide the state-of-the-art facilities in which to treat them. The Committee approved my request for the design and engineering funding for this project last year to accelerate the construction of this vitally needed unit.

We also include in the bill $371,300,000 for a new VA medical facility in Orlando that will benefit veterans throughout the state. Florida continues to experience one of the largest inflows of veterans of any state in our nation. All of Florida's VA medical facilities feel the strain of a growing caseload, especially during the winter months. The construction of this long anticipated VA hospital in central Florida will ease that burden on all the existing hospitals.

Madam Chair, this legislation honors those who wore the uniform in the defense of our nation and freedom here and throughout the world. We also honor those who wear the uniform today by ensuring that they live and work in the best facilities today whether it be on U.S. soil or on our bases in the furthest points of the world.

This includes the facilities for the forces leading the worldwide battle against terrorism which is being directed by U.S. Central Command and U.S. Special Operations Command at MacDill Air Force Base in Tampa, Florida, which neighbors the 10th Congressional District I represent.

Just this week, I joined General David Petraeus, the Commander of U.S. Central Command, to break ground on a new headquarters facility that was supported by this committee and for which this committee approved my request four years ago to accelerate the funding to begin its design and engineering. Our bill this year includes $21,000,000 to accelerate construction of a Consolidated Communications Facility to support the Joint Components of Central and Special Operations Command at MacDill. Communications is critical for both commands to manage operations that are underway half a world away. This facility will ensure that our war fighters will have the most up-to-date and secure communication capabilities for them to do their job.

This legislation also includes $15,300,000 for the Central Command Commandant Facility which will coordinate air operations for Central Command's commanding officers and support staff to enable them to deploy rapidly and efficiently. This is imperative given the geographic distance and the number of crises that continue in the Middle East and Southwest Asia.

This facility will provide a secure facility to accommodate the Joint Special Operations Air Component, train increasing numbers of personnel, and store authorized equipment. In addition it will provide a Sensitive Compartmented Intelligence Facility to conduct analysis and assessments to provide Central Command with accurate and comprehensive situational awareness for our forward deployed forces.

Another $7,000,000 is included for a much needed Child Development Center to care for the children of our service members who work around the clock to support their missions. This facility is designed to accommodate and care for the many families of our many working parents at MacDill Air Force Base. And $16,000,000 is included here for a new dormitory to provide unaccompanied enlisted personnel with safe, energy efficient housing.

Madam Chair, this is a good bill. It fulfills our nation's promise and commitment to care for our nation's veterans, those who serve; those have served in the past, and those who will serve our nation in the future.

Mr. EDWARDS of Texas. Madam Chair, I consider it an honor to be even able to speak after Mr. YOUNG, who has committed his lifetime and his heart to our servicemen and -women and our veterans. He and his wife commit every week to going out to our DOD and VA hospitals to let those great Americans know that their sacrifices are not forgotten. I want to thank him for inspiring all of us to remember the sacrifice our troops and veterans have made.

With that, it's a privilege for me to recognize the vice chair of our subcommittee, who has been a leader at every step of the way on so many issues on behalf of our veterans, Mr. FARR of California, for 2 minutes.

Mr. FARR. Thank you very much, Chairman EDWARDS, for yielding.

Madam Chairman, I just want to rise to speak on this bill, and I just want to say something following Congressman YOUNG's points.

What I love about this committee, more than any other committee I have ever served on in the State legislature or here in Congress, I think it's the best listening committee I have ever been on. We listen to people, and what I call the felt needs, and we respond.

I think what we are so proud about is the fiscal year 2010 military construction and veterans spending bill responds to what we heard and addresses those issues. What I think is remarkably progressively happening in this country is that for the first time these two huge agencies, the Department of Defense and the Department of Veterans Affairs, are beginning to be seamless in a sense.

I mean, you can't be a veteran without going through the Department of Defense. And the new Secretary of Veterans Affairs Shinseki has said that the minute you enroll in the Department of Defense you are automatically enrolled in the Department of Veterans Affairs. So you are going to begin seeing this, rather than having these lost records and folders and everything that needs to be done, that it will be administratively clean.

What I also really appreciate about this committee that probably is not recognized is that we hear over and over again about the health care of our veterans. And I can't think of two more sensitive people than Chairman EDWARDS and Ranking Member WAMP and our colleague on the committee, PATRICK KENNEDY, that listened so profoundly to the needs of mental health care for veterans, not only those coming back with posttraumatic stress syndrome from Iraq and Afghanistan, but we have about 270,000 veterans that sleep on the streets of America.

That's the biggest embarrassment that this country has. We have not been that good at taking care of them. This budget puts $800 million more in mental health and does the outreach for homeless veterans.

I am very proud of that and would urge support of the legislation.

Mr. WAMP. Madam Chairman, I yield 3 minutes to ANDER CRENSHAW from Jacksonville, Florida, who would be the vice ranking member if there were such a position, but he is an incredibly valuable asset on our subcommittee and has done just an extraordinary job this year.

Mr. CRENSHAW. I thank the gentleman, Mr. WAMP, for yielding the time. I thank him for his hard work in the subcommittee and working with our Chairman EDWARDS, thank you for your leadership and your bipartisan spirit. And thank you both for involving all the members of the subcommittee and drafting this legislation that I think we can all support.

I ran for Congress in the first place because I believe the number one responsibility of the Federal Government is to protect American lives, and I think the best way to keep America safe is to keep America strong. But I have been on this subcommittee now for 7 years, and I think we have a tremendous responsibility not only to modernize and upgrade these bases all around the world that we oversee, but we have a responsibility to make sure that we take care of the men and women that volunteer to defend our country. Nobody forces them to do that. Nobody forces them to go into harm's way. They do it because they care about America. And I think we have a responsibility to take care of them, and that's what this bill does.

I think in terms of housing, there was a time when people that served in our military lived in substandard housing, something they couldn't be proud of. Through using some of the private sector ideas like privatization, now over 90 percent of our military men and women live in adequate housing that they can be proud of.

When they go off to deployment, they can be sure that their families are going to be taken care of back home with a good quality of life. They are going to have a peace of mind when they are gone and when they are fighting for us.

And when they come home and they leave the service, now they know they have a Veterans Administration that cares about them. This bill continues the work that we have done to make sure that we have more clinics, to make sure we have more doctors and nurses, more people to process those claims. They don't have to wait in line. We are making some giant strides.

And, finally, this bill, as has been pointed out, deals with national cemeteries, to give those veterans a final resting place that they so richly deserve.

And I know in my home district in Jacksonville, Florida, we opened a new veterans cemetery this year. And I don't think I have ever been more proud to be a Member of Congress, to be a part of that ceremony, to see the sense of gratitude in these people's eyes knowing they are going to have a place, a final resting place because of the way they have defended our country.

Madam Chairman, I think this is a bill we can all support. I am again thankful to our chairman, our ranking member, and all the members of the subcommittee for the work that we put in that we can be so proud of, so I urge adoption.

Mr. EDWARDS of Texas. Madam Chair, I would like to recognize a member of our committee, the gentleman from Colorado (Mr. SALAZAR), an Army veteran who has been a strong voice on behalf of our veterans and military, for 1 minute.

Mr. SALAZAR. I want to take a moment to recognize both Chairman EDWARDS and Ranking Member WAMP for their valiant effort in putting this bill together. I don't think there are any greater champions for military veterans and their families. All 17.5 million in the United States should applaud the chairman and the ranking member for their diligent fight.

Madam Chair, I would like to bring one specific project in the bill forward and not only thank the chairman and the ranking member, but also Secretary Shinseki and President Obama and the chairman of the Veterans' Affairs Committee, Mr. FILNER, for including the $119 million for the new Fitzsimmons Veterans Hospital in Denver, Colorado.

This facility will provide full service to half a million veterans currently residing in my home State of Colorado and many across the Rocky Mountain west. This new facility will be open and begin serving veterans by 2013. The 200-bed hospital will reach over a million square feet in size and include 30 special beds for spinal cord injuries.

I am proud that after over a decade of waiting, the veterans of the Rocky Mountain west and my State will finally benefit from this state-of-the-art facility.

Mr. WAMP. Madam Chairman, I yield 3 minutes to my friend, the gentleman from Indiana and the ranking member of the Committee on Veterans' Affairs, Mr. BUYER, for the purpose of a colloquy.

Mr. BUYER. I want to commend my friend Mr. WAMP and Chairman EDWARDS for your strong advocacy on behalf of America's veterans.

Mr. Chairman, last year, as you may remember, I offered an amendment that would have provided direct funding for VA to advance projects at 16 VA medical centers that were identified for the use of solar photovoltaic roof applications, but the amendment was ruled out of order on a technical issue.

You and I have had several conversations about renewable energy issues and, however, working with the Secretary, as I had indicated, I was able to ensure that the VA funded these projects with the overall amount that included the fiscal year 2009 appropriations act, of which you had no objection.

Subsequently, at the beginning of this Congress, with the prospect of a forthcoming stimulus bill, I had met with the Secretary of the VA on renewable energy projects to benefit our veterans and to provide additional funding to invest in these renewable energy projects at the VA. I was pleased the stimulus bill provided the VA with more than $1.4 billion. That's almost half a billion more than what I even submitted in the request, so I thank the chairman.

And the VA stimulus spending for the additional 31 solar photovoltaic feasibility studies also included studies for cogeneration, of which the chairman must have done, along with wind and geothermal projects. And based on those study results, the VA plans to fund up to eight solar projects, nine cogenerations, six wind, and five geothermal using stimulus dollars.

Mr. Chairman, the VA also expects to implement the remaining 23 solar projects, 29 cogeneration, 4 wind and 4 geothermal in fiscal year 2010, subject to the feasibility determinations.

With this in mind, I want to ask my friend: Do I have your assurance that the bill before us would provide the sufficient funds for the VA to move forward with these renewable energy projects?

I yield to the gentleman from Texas.

Mr. EDWARDS of Texas. I first want to thank Mr. BUYER for taking the lead and for fighting to ensure that alternative sources of energy are utilized by the VA. This is an important issue and initiative.

Our bill does take into consideration this important need, and VA plans to fund a significant number of renewable energy projects with resources in this bill. I want to assure you that I will emphasize to the VA the importance of this effort.

I recognize, and I think this is critical, the result of your efforts, that every dollar saved through energy conservation in the VA will result in an additional dollar going directly to better health care and benefits for veterans.

I further look forward to continuing to work with you to ensure that the VA appropriately employs the use of solar technology to reduce energy costs and to benefit our environment.

Mr. WAMP. I want to thank the chairman for this commitment and express my strong support for funding these renewable energy projects, compliment Mr. BUYER for his tenacity and perseverance here on this front, because I know that we can reduce VA's high energy costs with the use of these new renewable energy technologies. I look forward to working with each of you as we continue to advance renewable energy projects at VA facilities.

The CHAIR. The time of the gentleman has expired.

Mr. WAMP. I yield the gentleman an additional 15 seconds.

Mr. BUYER. I would thank the leadership of Mr. EDWARDS and Mr. WAMP for your commitment for renewable energy within the VA.

Mr. EDWARDS of Texas. Madam Chair, I would like to yield 3 minutes to the gentleman from Rhode Island (Mr. KENNEDY) who has been the leading voice in this subcommittee and the House for improving mental health care services for America's veterans and services to homeless veterans.

Mr. KENNEDY. I want to thank the chairman of the Appropriations Subcommittee on Veterans Affairs, Chairman Edwards, for his leadership on what has been an amazing increase in funding for veterans in this country. As chairman of the Appropriations Committee, we have seen in the last cycle the largest single increase in veterans funding in the 76-year history of the Veterans Administration in the last cycle. And, as such, that has carried over till this cycle and will in the succeeding years ahead as we continue to increase the veterans appropriations.

And, again, this year, we are seeing another large, large increase in the veterans spending, including increases in veterans mental health. And that, my friends, is what I am so pleased to see, especially in the wake of the terrible tragedy at Camp Victory, where we saw a murder-suicide, once again highlighting the terrible tragedy that so many of our veterans are facing with the psychological wounds that they are facing and the combat that they are so readily seeing on a day-today basis. They are not only suffering the physical wounds of war but the psychological and mental wounds of war.

I would like to acknowledge the ranking member, ZACH WAMP, for the incredible support that he has given to our veterans in the area of mental health services.

We have seen in this bill $4.6 billion for mental health services in this bill. We have seen an additional $3.2 billion for homeless veterans. It's a tragedy, as my friend SAM FARR said, that the single largest percentage of the homeless population in this country are veterans. That should not be the case. In this bill, we seek to try to end that situation.

Madam Chairman, I am also pleased to see that this committee responds to the veterans of America in providing advance funding for veterans funding for the succeeding years, so that veterans do not have to wait on Congress to provide those funds, and that we provide an additional $48 billion in the 2011 budget.

□ 1145

And that, my friends, is a result of General Shinseki, the VA Secretary's strong advocacy and this President's commitment to our veterans to make sure that they don't have to wait—they don't have to wait for a budget in order to know that they're going to get the funds they need to take care of our veterans.

For these and all the reasons, I'm so proud to be part of this committee and to see that this country lives up to its promise to our Nation's veterans. And I thank the chairman for all the good work that he does, and I thank the ranking member for all the good work that he does. And I'm proud to be on this committee.

Mr. WAMP. Madam Chairman, I yield myself 3 minutes and yield to the gentleman from Delaware (Mr. CASTLE) for the purpose of a colloquy.

Mr. CASTLE. I thank the distinguished gentleman for yielding. Madam Chairman, I'd like to speak about the Dover Air Force Base and what it's doing with respect to its port mortuary.

For more than 50 years, Dover Air Force Base has been home to the United States military's port mortuary. It's here that Dover's expert staff receives from theater the remains of fallen American soldiers, sailors, airmen, and marines and conducts a solemn, dignified transfer from the aircraft to the port mortuary. The base and the community in Dover take this responsibility very seriously and treat all fallen servicemembers and their families with dignity, honor, and respect.

As you know, in March of this year the Department of Defense announced a new policy regarding media access to the dignified transfer of remains at the Dover Air Force Base. Under the new policy, the decision regarding media coverage is made on an individual basis by the families of the fallen. The new policy also expands the Department's support to those family members wishing to attend the dignified transfer by paying for travel to Dover and increasing the availability of grief counseling and chaplain support services.

The immediate result of this policy change is that many more families of fallen soldiers from across the country travel to Dover to attend. Unfortunately, the wing commander and his staff at Dover Air Force Base have expressed concern they do not have adequate chapel facilities to provide for on-base memorial services, worship, and counseling. This lack of chapel facilities would be particularly evident in the unfortunate event of a mass casualty situation in the theater of operations.

The base has submitted a proposal to build a new main base chapel center to include private space for the expressed purpose of receiving grieving families. I understand that the office of the Secretary of Defense is supportive of this project, and I look forward to working with the committee at the earliest possible opportunity to solve this pressing matter.

Mr. EDWARDS of Texas. Will the ranking member yield?

Mr. WAMP. I yield to the chairman of the subcommittee.

Mr. EDWARDS of Texas. The gentleman from Delaware has raised a very important issue, and as someone who once represented Fort Hood, Texas, through three combat deployments, I strongly believe in the need to treat our fallen and their families with the utmost dignity and respect.

So it will be a privilege for me to work with the gentleman on this issue. And I am hopeful that we can rectify this problem by the time we get through conference.

Mr. WAMP. Reclaiming my time, I stand with you, Mr. Chairman, and will work with Mr. CASTLE as well to resolve this matter in conference.

I yield to Mr. CASTLE.

Mr. CASTLE. I thank both the distinguished chairman of the committee and the ranking member, Mr. EDWARDS and Mr. WAMP, for their work on this legislation as well as discussing this particular issue. I look forward to working with you and all of the servicemembers and families who would be involved with this, and hopefully we can work it out in the near future.

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

Mr. EDWARDS of Texas. Madam Chair, I'd like to yield 1 minute to an active voice on our subcommittee on behalf of veterans and our troops, the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank the chairman. Madam Chair, this bill addresses one of the biggest concerns that I and many others have, and that is homeless veterans. The bill provides $420 million over last year's level for assistance and treatment for homeless veterans.

Tonight, Madam Chair, 154,000 veterans will go to bed without a home. One out of four homeless men served in the United States military at some point. They fought for our country, they came home, but they don't have a house. They served in jungles, they served in cities, they served in deserts and bases on the high seas, and they're sleeping on sidewalks this evening in America.

That is a national shame. But thanks to the bipartisanship of this subcommittee, we are making a bold leap on behalf of those homeless veterans. We are making the investments necessary to stop this outrage and to do what every nation must do, and that is to treat its veterans as heroes, and in this case, heroes with a home. I thank the gentleman and the ranking member for their cooperation.

Mr. EDWARDS of Texas. Madam Chair, I yield myself 2 minutes and yield to the gentleman from Michigan (Mr. DINGELL) for the purposes of a colloquy.

Mr. DINGELL. Madam Chairman, I rise to enter into a colloquy with my dear friend, the distinguished chairman of the subcommittee, regarding language contained in the House report, Veterans Affairs and Related Appropriations Bill for 2010.

I'm concerned the language could have the effect of postponing activation of a much-needed clinic for our veterans in Toledo. Clearly, it is not in the best interest of our veterans to postpone activation of a new clinic that will better address a higher workload, especially in light of the increasing numbers of veterans returning from the wars in Iraq and Afghanistan.

I yield to my good friend.

Mr. EDWARDS of Texas. I thank the gentleman. I agree with the gentleman that our veterans deserve quality health care. It's crucial to move forward to get the new clinic operational as soon as possible. The VA is recognized as a leader in quality health care, and we want to do everything possible to enhance that reputation.

Mr. DINGELL. To continue, the existing clinic is undersized for its current caseload. The VA has been working for several years to establish larger replacements. It is my understanding if we move forward with the current plans, which have been reviewed by the majority of the impacted veterans service organizations, the VA is prepared to have a new, larger LEED-certified clinic in the fall of 2011.

Mr. EDWARDS of Texas. Will the gentleman yield?

Mr. DINGELL. I will yield to the gentleman.

Mr. EDWARDS of Texas. It's of the utmost importance that we address these concerns in a timely and expeditious manner so we can continue to get the quality health care the VA provides to the veterans in question.

I know that this matter has also been of concern to the veterans in the district of the gentlewoman from Ohio, Ms. KAPTUR, and I know that she wants their concerns addressed as well.

The language in the committee report is not designed to needlessly delay the activation of the Toledo clinic, but simply to ensure some of the concerns raised by veterans are responded to.

Mr. DINGELL. I want to also express great respect and affection for the gentlewoman from Ohio, Ms. KAPTUR. As a veteran myself, I couldn't agree more that we need more quality care for our veterans in a timely manner. As already mentioned, given the increased workload because of the veterans returning from Iraq and Afghanistan, doubling the size of the existing clinic will help us to meet that goal.

Mr. EDWARDS of Texas. Madam Chair, I reserve the balance of my time.

Mr. WAMP. Madam Chair, may I inquire as to the time remaining on each side.

The CHAIR. The gentleman from Tennessee controls 6¼ minutes. The gentleman from Texas controls 7½ minutes.

Mr. WAMP. I continue to reserve.

Mr. EDWARDS of Texas. Madam Chair, I yield myself 2 minutes, and I'd like to yield to the gentleman from California (Mr. THOMPSON) for the purposes of a colloquy.

Mr. THOMPSON of California. Thank you, Mr. Chairman. I appreciate the great work that this chairman does on behalf of veterans. He's a true friend and has done so much for so many veterans, and I appreciate that.

Mr. Chairman, I just want you to know that I went to college on the GI Bill, and I voted for the Post-9/11 GI Bill with my experience in the GI Bill and in school and what it did for me in mind. And I did so to ensure that all veterans would have the same access to this great educational opportunity that I had.

Unfortunately, today in California, California veterans are being denied this important chance to get the college education so that they can have a better future. According to the Department of Veterans Administration, veterans living in California are entitled to zero dollars toward their private tuition bill, simply because California charges ''fees,'' not ''tuition,'' to attend college.

So because zero ''tuition'' is charged in California, according to the VA's tortured logic, zero tuition can be paid to veterans seeking to attend private schools in California.

This simple semantic difference means that nearly 5,000 Iraq and Afghanistan veterans residing in California, veterans who served our Nation honorably, are not eligible to receive financial assistance to attend the college of their choice. This is unlike every other Iraq and Afghanistan veteran in the other 49 States.

My California colleagues and I sent a letter to the VA requesting the Department fix this issue administratively. Six weeks later—6 weeks later they sent a two-paragraph response denying—denying our request.

This is not fair to our veterans, and Congress should not stand by as these brave men and women are denied the benefits they have earned.

I'd now like to yield to my colleague from California (Mr. MCKEON).

Mr. MCKEON. I thank the gentleman for yielding. As the gentleman and I both know, this spring the VA released its Post-9/11 GI Bill tuition benefit rates. Unfortunately, the VA has misinterpreted the intent of Congress and by doing so will prevent veterans from attending private institutions in California.

The CHAIR. The time of the gentleman has expired.

Mr. EDWARDS of Texas. I yield myself 1 additional minute.

Mr. MCKEON. By doing so, they will prevent veterans attending private institutions of higher education in California.

Certainly, when my home State enacted free in-State tuition, they didn't anticipate the VA would use that to restrict our vets from attending private universities as they are allowed to do in 49 other States under the Post-9/11 GI Bill.

It's important that we provide Californians parity by enacting legislation like H.R. 2474 that the gentleman from California and I introduced in May. This legislation, which has near unanimous support from our delegation, allows veterans in California to use their full fee benefit towards tuition and fee expenses.

As the gentleman knows, it's important we act quickly, as this program begins implementation on August 1, 2009. Without action, many veterans could be unpleasantly surprised when they receive no tuition assistance.

Can the chairman assure us that this exclusion of California veterans from this important benefit was not the intent of the Congress in the Post-9/11 GI Bill?

Mr. EDWARDS of Texas. The committee believes this exclusion of California veterans was not the intent of Congress when it passed the Post-9/11 GI Bill. The committee will ask the VA to work with the affected States, including the State of California, to ensure that veterans attending private institutions can participate fully in the Post-9/11 educational assistance program.

Mr. WAMP. I continue to reserve.

Mr. EDWARDS of Texas. Madam Chair, I yield myself 2 minutes and yield to the gentleman from Pennsylvania (Mr. ALTMIRE) for the purpose of a colloquy.

Mr. ALTMIRE. Let me thank Chairman EDWARDS for the excellent work he's done on this important bill, which funds our military construction projects and provides for the benefits and assistance that our Nation's veterans have so clearly earned.

It's out of concern for our Nation's veterans, specifically veterans in my home region of western Pennsylvania, that I requested this colloquy.

Pittsburgh's Veterans Benefits Administration employees are alleged to have manipulated an employee bonus reward system by delaying processing veterans' claims to my district to secure additional employee bonuses.

I yield to the distinguished gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS of Texas. I'm familiar with the unfortunate situation that occurred in Pittsburgh. There was a report issued by the Office of Inspector General, correct?

Mr. ALTMIRE. That's right. I thank the chairman for his awareness of our concerns, and I would comment that this report issued by the Inspector General was insufficient given the gravity of these allegations. It failed to determine the sources of the problem. And I would suggest the Office of the Inspector General should conduct a second investigation of the Pittsburgh Veterans Benefits Administration employee misconduct in delaying benefit processing to receive bonuses and submit a more thorough report.

And this strikes me as particularly possible in light of the $19 million increase in the Inspector General's budget from last year.

I would yield again to the chairman.

Mr. EDWARDS of Texas. Given the increases we've provided the Office of Inspector General at the VA, I look forward to working with the gentleman to see if we can't get the IG to take a second look at this serious issue in Pennsylvania.

□ 1200

Mr. WAMP. Madam Chair, I yield myself the balance of our time.

As we close the general debate on the 2010 Military Construction and Veterans Affairs appropriations bill, I want to tell a brief story because today the President of the United States is in Italy at the G–8; and photographs show him with my friend, the Prime Minister of Australia, Kevin Rudd, over the last couple of days. I have to tell you—I was with my friend, the Prime Minister, a couple of months ago here in Washington, and I asked him about the extraordinary challenges that our country faces today. And when I think of the men and women in uniform of our Armed Forces—and I know in my heart that that is truly what our country is all about, people volunteering, even sacrificing for each other—I said to Kevin Rudd, ''What's the attitude in Australia and around the world about these tremendous challenges that we face? And what do you think about the United States of America's ability to deal with these many challenges?'' He said, ''Well, we're optimistic. We've read your history. We understand how extraordinarily difficult it was during the Civil War and the great World Wars. We know that you came out of the Great Depression and that you have overcome extraordinary adversity. We've seen your free enterprise system, your brilliance and your innovation, and we know how resilient your people are. So we have great confidence that you will do it again,'' he said with a smile on his face.

And I would just say to all those men and women that served us in uniform—because they are the true patriots of our time. Yet again, they stand on the shoulders of those that have come before us, and our veterans are our most important citizens—that the burden is on us to extend our way of life and preserve freedom and to try to secure our liberty. This is the challenge of our time, and the world is counting on us. This bill goes a long way to meeting these needs, and we do truly stand at the water's edge together today. There is a lot of rancor and division in the House over process in other appropriations bills, but not today. Today we come together to do what's right for our men and women in uniform, for our military installations around the world under every command, for our veterans and their families and for the quality of life of our troops.

I yield back the balance of my time.

Mr. EDWARDS of Texas. Madam Chair, I yield myself 1 minute, and I yield to the gentleman from Texas (Mr. CUELLAR) for the purpose of a colloquy.

Mr. CUELLAR. I thank the chairman for yielding to me.

Most of the claims from veterans of my district in south Texas are processed at the Houston VA Regional Office. A recent article in the Houston Chronicle, which I will submit for the RECORD, notes that nearly 18,000 veterans are waiting for their disability applications, and 26 percent of these claims have been pending over a year and a half. The number of claims on appeal from Houston are about 11,389, which is the highest in the country.

I have written a letter to the Secretary of the VA that brings attention to this problem, which I would like to be submitted into the RECORD. Mr. Chairman, I ask for your help to address this very serious problem so we can provide service to our veterans.

Mr. EDWARDS of Texas. I share the gentleman's concerns and look forward to working with him and the VA to see that we address those problems. Veterans serving out of the Houston office should not have to wait the amount of time they are having to wait to receive their earned benefits.

BACKLOG OF VA CLAIMS IN HOUSTON ONE OF COUNTRY'S HIGHEST

HOUSTON.—Houston has one of the biggest backlogs and some of the longest waiting times in processing veterans' claims for disability benefits in the nation, according to the most recent data released by the U.S. Department of Veterans Affairs.

Nearly 18,000 veterans are waiting for the Houston VA Regional Office to process their applications for disability benefits, the Houston Chronicle reported Saturday. Also, 26 percent of the Houston claims have been pending for more than half a year, compared with the national average of 21 percent.

Total claims in Houston, including nondisability compensations and pensions, add up to almost 24,000, with 24 percent pending for more than six months. That percentage is also higher than the national average.

The number of claims on appeal from Houston—11,389—is the highest in the country. ''The situation at VA's Houston office is among the worst in America,'' said Paul Sullivan, executive director of Veterans for Common Sense, a national advocacy group. ''Our veterans and their families deserve better.''

Nationwide, the total number of VA claims has increased from 638,648 this time last year to 723,152, as of June 20.

The number of claims received by the Houston VA Regional Office has increased by 26 percent since last year, more than twice the national average of 12 percent, said spokeswoman Valerie Martinez.

The Houston office has outsourced some of its claims processing to other VA facilities, and it has been authorized to hire 105 employees to improve efficiency, Martinez said.

At a congressional hearing in Washington last week, VA Deputy Undersecretary for Benefits Michael Walcoff said it is incorrect to designate all claims around the country as a backlog because the total number ''includes all claims received, whether pending for just a few hours or as long as six months.''

HOUSE OF REPRESENTATIVES,
Washington, DC, July 10, 2009.

Hon. ERIC K. SHINEKI,
Secretary,
Washington, DC.

DEAR SECRETARY SHINSEKI: Congratulations on your appointment as Secretary of the Department of Veterans Affairs. I look forward to working with you as we provide for those who have served our country admirably in the United States Military.

I was recently made aware of the attached article regarding veterans' disability benefit applications. Most of the disability benefit applications that come from my congressional district are processed at the Houston VA Regional Office. As the article explains, this office has one of the largest backlogs in the nation.

In the last two fiscal years, funds have been made available to hire more case workers in an effort to reduce the application backlogs present in many parts of our nation. I respectfully request that priority be given to the Houston VA Regional Office as workers are being allocated to address this important problem.

Thank you in advance for your consideration of this request. If my staff or I may be of any more assistance, please do not hesitate to call upon us.

Sincerely,

HENRY CUELLAR,
Member of Congress.

Mr. EDWARDS of Texas. Madam Chair, may I inquire as to how much time I have remaining?

The CHAIR. The gentleman controls 2 minutes.

Mr. EDWARDS of Texas. I yield 1 minute to the gentlewoman from Houston, Ms. SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Let me thank the distinguished chairman and ranking member. Thank you very much, Mr. EDWARDS, for the grand work that you have done over the years in helping our soldiers. I rise today to support the underlying bill but to particularly focus on the medical services, the $34.7 billion; the mental health services, $4.6 billion; and the assistance for homeless vets, $3.2 billion. In my congressional district I work with these populations in particular, visiting them, listening to their situations; and as well, in my own community we have had a high number of suicides among active duty soldiers. I am very glad to announce that because of the legislation of this particular appropriation and the leadership of Chairman EDWARDS, we are now looking forward to having an offsite opportunity for a PTS treatment center; and as well it will be able to secure funding in the future for prospective TRICARE recipients. I am proud to have worked with Riverside Hospital. We need to be able to provide more services for PTSD, for the soldiers that are coming home. Believe it or not, Houston has been cited as the city that has the largest number of returnees or active duty soldiers who have been in Iraq and now, subsequently, will be coming from Afghanistan. Today as I speak, Madam Chair, we are burying a young seaman in my district. It is tragic, but we realize that we have to provide for these soldiers. I am very glad to support the rule and the underlying bill.

The CHAIR. The gentleman from Texas is recognized for 1 remaining minute.

Mr. EDWARDS of Texas. Madam Chair, as I finish this debate, I want to add in my thanks to others. I want to thank the gentleman from California (Mr. LEWIS). He, along with Mr. YOUNG, has spent his entire congressional career dedicated to fighting for a strong national defense and for seeing that the men and women who provide that defense are respected in a meaningful way, and that once they have taken off our Nation's uniform, they continue to be respected as veterans. He has been an active leader as chairman of the committee, as ranking member of the committee and in our subcommittee deliberations has continued to be an active voice on behalf of our troops, our veterans and their families; and I thank the gentleman for that.

Finally, I think it's appropriate, Madam Chair, that the last word in this debate from my side are not the words of my own, but the words of America's veterans. I would like to include in the RECORD of this debate letters in support of this legislation from the DAV, the Veterans of Foreign Wars, The American Legion, the Paralyzed Veterans of America and the AMVETS.

DISABLED AMERICAN VETERANS
Washington DC, July 9, 2009.

Hon. CHET EDWARDS,
Chairman, Subcommittee on Military Construction, Veterans' Affairs and Related Agencies, House Appropriations Commitee, Washington, DC.

DEAR CHAIRMAN EDWARDS: On behalf of the 1.4 million members of the Disabled American Veterans (DAV) and its Auxiliary, I would like to express our strongest support for H.R. 3082, the FY 2010 Military Construction, Veterans Affairs and Related Agencies Appropriations Act, which provides record funding levels for Department of Veterans Affairs (VA) health care and benefits programs for fiscal year 2010.

Perhaps even more significant than the FY 2010 funding, the legislation also contains $48.2 billion in advance appropriations for VA medical care for fiscal year 2011. As you know, advance appropriations for VA health care has been the highest legislative priority for DAV and many other veterans service organizations in recent years. We applaud you, Chairman Obey, House Leadership and other Members whose support led to its inclusion in this bill.

Once enacted into law, advance appropriations for VA medical care will prevent budget stalemates from threatening the quality and timeliness of veterans health care services, a problem that has plagued VA for decades. With this crucial budget reform in place, VA will have the time and assurance necessary to effectively plan how to meet the health care needs of our nation's sick, injured and disabled veterans.

The House vote to approve H.R. 3082 will be a major milestone towards ensuring sufficient, timely and predictable funding for veterans health care programs, and DAV urges all Members of the House to vote in favor of this legislation.

Again, thank you for all that you have done to ensure that veterans, especially disabled veterans, have access to timely and quality medical care today, and for years to come. I look forward to continuing to work

with you in the future to build better lives for America's disabled veterans and their families.

Sincerely,

RAYMOND E. DEMPSEY,
National Commander.

VETERANS OF FOREIGN WARS,
OF THE UNITED STATES,
Washington, DC July 9, 2009.

Hon. CHET EDWARDS,
Chairman, Appropriations Subcommittee on Military Construction, Veterans Affairs and Related Agencies, House of Representatives, Washington, DC.

DEAR CHAIRMAN EDWARDS: On behalf of the 2.2 million men and women of the Veterans of Foreign Wars of the U.S. and its Auxiliaries. I would like to offer our strong support for H.R. 3082, the FY 2010 Military Construction and Veterans Affairs Appropriation, which we understand will be up for a vote on the floor of the House of Representatives this Friday. It is our assessment that this funding legislation will dramatically improve the health care and benefits this nation provides for its former defenders.

Notably, the legislation would transform the health care funding system by, for the first time, providing an advanced appropriation for veterans' health care. Enacting an advanced appropriation is one of the VFW's highest priorities. We strongly believe that this mechanism along with the funding provided in this bill for FY 2011 medical programs will far better allow the Department of Veterans Affairs (VA) to properly invest in its health care resources, including hiring and retaining top quality health care and other professionals.

The VFW also applauds this bill's historic funding levels for FY 2010. The bill includes $77.9 billion in finding for veterans programs with $45.1 billion targeted for veterans' health care. Within that, there is additional funding aimed at some of the biggest issues confronting the veteran population: mental health, access to rural health care and assistance for homeless veterans.

Additionally, we are especially appreciative of the $1.9 billion in major and minor construction funding contained within the bill. This extra funding, which represents a $256 million increase over the current year's funding level, will better allow VA to reduce the major projects construction backlog, as well as increasing the numher of minor construction projects, many of which are targeted towards safety issues that directly affect the well-being of veterans.

The VFW thanks you for your continuing efforts on behalf of America's veterans. The record funding levels contained in H.R. 3082 demonstrates the ongoing commitment of all veteran's supporters in the House to those who have served the nation in uniform. We salute your leadership and advocacy in support of this bill, and we look forward to working with you to ensure its passage.

Very truly yours,

ROBERT E. WALLACE,
Executive Director.

THE AMERICAN LEGION,
Washington, DC, July 9, 2009.

Hon. CHET EDWARDS,
Chairman, Subcommittee on Military Construction, Veterans' Affairs and Related Agencies, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR CHAIRMAN EDWARDS: As you and your colleagues consider H.R. 3028, the Military Construction, Veterans' Affairs' and Related Appropriations for FY 2010, The American Legion offers its full support, especially for the advance appropriations provision for the Department of Veterans Affairs' (VA's) Veterans Health Administration (VHA) in FY 2011.

Overall. H.R. 3028 would provide $77.9 billion in discretionary spending for FY 2010, including Overseas Contingency Operations funding.

The bill would provide $48.2 billion in advance appropriations for FY 2011 for three medical accounts of VA: Medical Services; Medical Support and Compliance; and Medical Facilities. This is an eight percent increase compared to FY 2010 and will provide reliable and timely funding to support the delivery of medical care. The amount included in this bill would provide FY 2010 current services level for the start of FY 2011. It is intended to give the Administration stability in execution, provide the subcommittee with continued oversight and the ability to address new initiatives, and allow veterans to have peace of mind when funding bills are delayed..

The FY 2010 recommendation in the bill for Military Construction, Family Housing and BRAC is $24.6 billion. This funding level fully funds BRAC 2005 at $7.5 billion, provides an increase of $140 million for BRAC 1990 to enhance the cleanup of installations closed in prior BRAC rounds, and provides for the modernization of training facilities, as well as the building of child care centers, barracks, and homes. The recommendation reflects the success of the housing privatization program with a reduced need for additional federal funding for family housing construction. It also ensures that the active forces will have a better environment in which to train and operate, as well as an improved quality of life. It also would provide funds to support additional requirements for operations in Afghanistan at $1.4 billion.

This bill includes two major military construction initiatives. First, it provides $450 million to accelerate the Army's program to modernize troop housing facilities for trainees. Second, the bill provides an additional $200 million for a Guard and Reserve initiative to address critical unfunded requirements. This funding would go toward critical unfunded requirements for Army and Air National Guard, as well as the Army, Navy, Marine Corps, and Air Force Reserves.

This bill would also provide $53.0 billion in discretionary funding for VA for FY 2010. Within this funding increase is provided funding for the Veterans Benefits Administration to hire 1,200 new claims processors.

This increase also would provide for an additional $4.4 billion for VHA. These funds will allow VA to increase access to services, ensure safer facilities and improve treatment including:

$4.6 billion for mental health services;

$3.2 billion for homeless veterans to include the $26 million for the Presidential Initiative to combat homelessness, $150 million for the homeless grants and per diem program, and $20 million for supportive services for low income veterans and families;

$580 million for medical research to include a $48 million increase for research to address the critical needs of Operation Enduring Freedom and Operation Iraqi Freedom veterans;

$1.1 billion to address the backlog in nonrecurring maintenance at our medical facilities; and

28 new Vet Centers and 30 new CBOCs.

Additionally, this bill continues the rural health initiative and beneficiary travel rates that we provided last year. Language has been included to continue oversight of VHA to ensure that VA provides funding to the medical facilities in a timely manner, delivers comprehensive mental health and substance abuse services, and improves the delivery of care to veterans who live in rural areas.

The National Cemetery Administration is funded at $250 million, an increase of $20 million above the FY 2009 appropriation. With 164 cemeteries in 39 states and Puerto Rico, the Administration has an extensive backlog of maintenance. The increase will give the Administration additional resources to improve the appearance and condition of cemeteries as identified in the study on veterans' cemeteries which was submitted to the Congress in 2002.

H.R. 3028 would provide an additional $19.2 million for the Office of Inspector General to provide additional personnel to accomplish financial audit and increased oversight of medical and information technology programs.

The bill includes $33 billion for Information Technology Systems. This funding will continue the Department's development of improvements to its electronic health record. Other major programs include development of a new financial management system, paperless benefits processing, and cyber security initiatives.

This bill would provide $1.9 billion for VA's construction—$256 million above FY 2009. The bill will provide needed funding for five ongoing major construction projects, planning and design funding for seven new projects, and funding for approximately 100 minor construction projects that can be completed in FY 2010.

Finally, the increased funding will enable the Armed Forces Retirement Home to undertake a major capital construction project on its Washington, DC campus as well as begin operations at the Gulfport, Mississippi campus which is being rebuilt from damage it sustained by hurricane Katrina. The increase also would provide $5.3 million for a project at Arlington National Cemetery to relocate power and telephone lines to allow for an additional 8,000 to 10,000 gravesites.

The American Legion applauds you and your colleagues for their hard work on this critical piece of legislation.

Thank you for your continued commitment to America's veterans and their families.

Sincerely,

STEVE ROBERTSON,
Director, National Legislative Commission.

PARALYZED VETERANS OF AMERICA,
Washington, DC, July 9, 2009.

Hon. CHET EDWARDS,
Chairman, Subcommittee on Military Construction and Veterans Affairs House Committee on Appropriations, Washington, DC.

DEAR CHAIRMAN EDWARDS: On behalf of Paralyzed Veterans of America, I would like to take this opportunity to thank you for your unwavering support for our nation's sick and disabled veterans, as well as all of the men and women who have so honorably served this country.

PVA appreciates your efforts as Chairman of the House Appropriations Subcommittee on Military Construction and Veterans' Affairs to achieve a historic funding level for the Department of Veterans Affairs (VA) once again this year. Through your leadership, the VA will receive funding for FY 2010 that meets and in some cases exceeds the recommendations of The Independent Budget, co-authored by PVA, AMVETS, Disabled American Veterans, and Veterans of Foreign Wars.

More importantly, the Military Construction and Veterans Affairs appropriations bill also includes approximately $48.2 billion in advance appropriations for VA medical care accounts—Medical Services, Medical Support and Compliance, and Medical Facilities—for FY 2011. By providing the VA with an advance appropriation for FY 2011, the VA will be able to better plan for hiring critical new staff and addressing demand on the health

care system. Approval of advance appropriations represents a truly historic accomplishment that will benefit all veterans.

These actions reflect the priority that you and the House leadership have placed on the needs of the men and women who have so honorably served this country. Once again, we thank you for your tireless efforts on behalf of veterans. We look forward to working with you and all members to ensure that the Military Construction and Veterans' Affairs appropriations bill is approved by the full House.

Sincerely,

CARL BLAKE,
National Legislative Director, Paralyzed Veterans of America.

AMVETS,
Lanham, MD, July 9, 2009.

Hon. CHET EDWARDS,
Chairman, Subcommittee on Military Construction and Veterans Affairs, House Committee on Appropriations, Washington, DC.

DEAR CHAIRMAN EDWARDS: On behalf of AMVETS I would like to take this opportunity to thank you for your leadership and continued, undaunting support of America's veterans, servicemembers and their families.

AMVETS wants to recognize your efforts as the Chairman of the House Appropriations Subcommittee on Military Construction and Veterans' Affairs for fighting for and securing yet another year of incomparable funding for the Department of Veterans Affairs. Because of your efforts, the VA will receive an unparalleled budget for Fiscal Year 2010.

AMVETS also would like to extend our deepest gratitude for your efforts in including approximately $48.2 billion in advanced appropriations for FY 2011. By providing the VA with advanced appropriations for 2011, VA will now have sufficient, timely and predicable funding. This will allow VA to better coordinate for the use of valuable resources, to include hiring of key medical staff and other demands that are unique to the health care setting.

Passage of advanced appropriations is a historic event that will be looked back on as one of the most important improvements to the VA health care system. It is with that, I want to thank you, the House leadership, and all members of Congress who have seen the value in advanced appropriations and have made it a reality.

Again, thank you for your continued support and advocacy for America's veterans.

Veterans serving veterans,

RAYMOND C. KELLEY,
National Legislative Director, AMVETS.

Mr. LOBIONDO. Madam Chair, as per the requirements of the Republican Conference Rules on member requests, I secured the following earmarks in H.R. 3082.

Requesting Member: Congressman FRANK LOBIONDO (NJ–02)

Bill Number: H.R. 3082

Account: Air Force, Military Construction, Air National Guard

Legal Name of Requesting Entity: 177th Fighter Wing

Address of Requesting Entity: 400 Langley Road, Egg Harbor Township, NJ 08234

Description of Request: Provide $1.7 million for the construction of a properly sited, adequately sized, and configured functional space to support conventional munitions administration, training and maintenance in support of 18 PAA F–16 aircraft to better enable the 177th to perform its Air Sovereignty Alert mission in defense of the homeland.

Mr. SMITH of Washington. Madam Chair, I rise today in support of the Fiscal Year 2010 Military Construction and Veterans Affairs appropriations bill and thank Chairman EDWARDS and Ranking Member WAMP for their work in crafting this legislation.

As someone who represents thousands of military veterans and their families, I believe that we have an obligation to provide them with the benefits and treatment they deserve for their years of faithful service. This legislation accomplishes that by providing $108.9 billion for the Department of Veterans Affairs, a $14.5 billion increase over Fiscal Year 2009, when not factoring in stimulus or supplemental funding.

It is estimated that the VA will treat more than 6.1 million patients in 2010, including more than 419,000 veterans of Iraq and Afghanistan. To meet this demand, the bill provides important funding for mental health programs, assistance to homeless veterans, and to improve access for veterans in rural areas. The bill also provides vital funding to hire additional claims processors to support the Department's continued effort to reduce the backlog of benefit claims.

I was also pleased to see that the committee included a provision to provide advanced budget authority and funding for fiscal year 2011 for medical related accounts. This is a step to ensure that the VA healthcare system continues to receive a timely and predictable stream of funding without subjecting it to the delays that can arise due to the larger annual budget debates.

In addition to the funds provided for our nation's veterans, I also applaud the committee's work in providing the necessary funding to meet the construction needs of our military. The bill provides $24.6 billion for construction, facility modernization, and environmental cleanup. Among other construction projects at Ft. Lewis and McChord, I was specifically pleased to see funds included in the bill for the construction of a Joint Access Road between Ft. Lewis and McChord Air Force Base, a project that I specifically requested funding for. These funds will help provide a link between the two installations, alleviate congestion, and provide a deployment route for the air transportation of Army vehicles and equipment.

Again, I thank the Chairman and Ranking Member for their work on this legislation and urge my colleagues to support its passage.

Mr. EDWARDS of Texas. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and the bill shall be considered read through page 58, line 6.

The text of that portion of the bill is as follows:

H.R. 3082

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSION OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $4,554,906,000, to remain available until September 30, 2014, of which $924,484,000 is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, and of which $450,000,000 shall be for trainee troop housing facilities: *Provided*, That of this amount, not to exceed $187,872,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That, not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for trainee troop housing facilities: *Provided further*, That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Military Construction, Army'' and under the headings ''Army'' in the tables entitled ''Military Construction'' and ''Overseas Contingency Operations'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill: *Provided further*, That of the funds appropriated for ''Military Construction, Army'' under Public Law 110–329, $59,500,000 are hereby rescinded.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $3,757,330,000, to remain available until September 30, 2014: *Provided*, That of this amount, not to exceed $182,569,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Military Construction, Navy and Marine Corps'' and under the headings ''Navy'' in the table entitled ''Military Construction'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,833,671,000, to remain available until September 30, 2014, of which $474,500,000 is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010: *Provided*, That of this amount, not to exceed

$93,407,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further,* That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Military Construction, Air Force'' and under the headings ''Air Force'' in the tables entitled ''Military Construction'' and ''Overseas Contingency Operations'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $2,743,526,000, to remain available until September 30, 2014: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed $121,442,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further,* That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Military Construction, Defense-Wide'' and under the headings ''Defense-Wide'' in the table entitled ''Military Construction'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill: *Provided further*, That of the funds appropriated for ''Military Construction, Defense-Wide'' under Public Law 110–329, $25,800,000 are hereby rescinded.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $529,129,000, to remain available until September 30, 2014, of which $30,000,000 shall be for critical unfunded requirements: *Provided*, That of the amount appropriated, not to exceed $40,488,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further,* That, not later than 30 days after the date of the enactment of this Act, the Director of the Army National Guard shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for critical unfunded requirements: *Provided further,* That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Military Construction, Army National Guard'' and under the headings ''Army National Guard'' in the table entitled ''Military Construction'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $226,126,000, to remain available until September 30, 2014, of which $30,000,000 shall be for critical unfunded requirements: *Provided*, That of the amount appropriated, not to exceed $12,021,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further,* That, not later than 30 days after the date of the enactment of this Act, the Director of the Air National Guard shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for critical unfunded requirements: *Provided further,* That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Military Construction, Air National Guard'' and under the headings ''Air National Guard'' in the table entitled ''Military Construction'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $432,516,000, to remain available until September 30, 2014, of which $30,000,000 shall be for critical unfunded requirements: *Provided*, That of the amount appropriated, not to exceed $25,016,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further,* That, not later than 30 days after the date of the enactment of this Act, the Chief of Army Reserve shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for critical unfunded requirements: *Provided further,* That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Military Construction, Army Reserve'' and under the headings ''Army Reserve'' in the table entitled ''Military Construction'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $125,874,000, to remain available until September 30, 2014, of which $20,000,000 shall be for critical unfunded requirements of the Navy Reserve and $35,000,000 shall be for critical unfunded requirements of the Marine Forces Reserve: *Provided*, That of the amount appropriated, not to exceed $2,951,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further,* That, not later than 30 days after the date of the enactment of this Act, the Chief of Navy Reserve and the Commander, Marine Forces Reserve shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for critical unfunded requirements: *Provided further,* That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Military Construction, Navy Reserve'' and under the headings ''Navy Reserve'' in the table entitled ''Military Construction'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $103,169,000, to remain available until September 30, 2014, of which $55,000,000 shall be for critical unfunded requirements: *Provided*, That of the amount appropriated, not to exceed $4,669,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further,* That, not later than 30 days after the date of the enactment of this Act, the Chief of Air Force Reserve shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for critical unfunded requirements: *Provided further,* That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Military Construction, Air Force Reserve'' and under the headings ''Air Force Reserve'' in the table entitled ''Military Construction'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $234,914,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $273,236,000, to remain available until September 30, 2014: *Provided*, That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Family Housing Construction, Army'' in the table entitled ''Military Construction'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $523,418,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $146,569,000, to remain available until September 30, 2014: *Provided*, That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Family Housing Construction, Navy and Marine Corps'' in the table entitled ''Military Construction'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $368,540,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $66,101,000, to remain available until September 30, 2014: *Provided*, That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Family Housing Construction, Air Force'' in the table entitled ''Military Construction'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $502,936,000.

FAMILY HOUSING CONSTRUCTION, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $2,859,000, to remain available until September 30, 2014: *Provided*, That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the heading ''Family Housing Construction, Defense-Wide'' in the table entitled ''Military Construction'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $49,214,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $2,600,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

HOMEOWNERS ASSISTANCE FUND

For the Homeowners Assistance Fund established by section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374), $23,225,000, to remain available until expended.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, $146,541,000, to remain available until September 30, 2014: *Provided*, That the amount appropriated in this paragraph shall be for the projects and activities, and in the amounts, specified under the headings ''Chemical Demilitarization Construction, Defense-Wide'' in the table entitled ''Military Construction'' in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $536,768,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $7,479,498,000, to remain available until expended: *Provided*, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or $2,000,000, whichever is less: *Provided further*, That the previous proviso shall not apply to projects costing less than $5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to initiate construction of new installations for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 111. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 112. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 113. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883, of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 119. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 USC 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 121. Notwithstanding this or any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 122. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 123. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: *Provided*, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 124. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'', to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 125. None of the funds appropriated or otherwise made available in this title may be used for any action that is related to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

SEC. 126. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in the report of the Committee on Appropriations of the House of Representatives to accompany this bill and in the guidance for military construction reprogrammings and notifications contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of December 1996, as in effect on the date of enactment of this Act.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $47,218,207,000, to remain available until expended: *Provided*, That not to exceed $29,283,000 of the amount appropriated under this heading shall be reimbursed to ''General operating expenses'', ''Medical support and compliance'', and ''Information technology systems'' for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical care collections fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 51, 53, 55, and 61 of title 38, United States Code, $8,663,624,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapters 19 and 21, $49,288,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during fiscal year 2010, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $165,082,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $29,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,298,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $328,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $664,000.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by subchapter VI of chapter 20 of title 38, United States Code, not to exceed $750,000 of the amounts appropriated by this Act for ''General operating expenses'' and ''Medical support and compliance'' may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, food services, and salaries and expenses of health-care employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; $71,840,500,000, plus reimbursements, of which $37,136,000,000 shall become available on October 1, 2010, and shall remain available through September 30, 2011: *Provided*, That, of the amount made available under this heading for fiscal year 2010, not to exceed $1,015,000,000 shall remain available until September 30, 2011: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: *Provided further*, That for the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, a minimum of $15,000,000, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); $10,207,000,000, plus reimbursements, of which $5,307,000,000 shall become available on October 1, 2010, and shall remain available through September 30, 2011: *Provided*, That, of the amount made available under this heading for fiscal year 2010, not to exceed $145,000,000 shall remain available until September 30, 2011.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $10,633,000,000, plus reimbursements, of which $5,740,000,000 shall become available on October 1, 2010, and shall remain available through September 30, 2011: *Provided*, That, of the amount made available under this heading for fiscal year 2010, not to exceed $145,000,000 shall remain available until September 30, 2011: *Provided further*, That, of the amount available for fiscal year 2010, $200,000,000 for non-recurring maintenance shall be allocated in a manner not subject to the Veterans Equitable Resource Allocation.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $580,000,000, plus reimbursements, to remain available until September 30, 2011.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, $250,000,000, of which not to exceed $24,200,000 shall be available until September 30, 2011.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $2,083,700,000: *Provided*, That expenses for services and assistance authorized under

paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That the Veterans Benefits Administration shall be funded at not less than $1,690,200,000: *Provided further*, That of the funds made available under this heading, not to exceed $111,000,000 shall be available for obligation until September 30, 2011: *Provided further*, That from the funds made available under this heading, the Veterans Benefits Administration may purchase (on a one-for-one replacement basis only) up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated cost; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $3,307,000,000, plus reimbursements, to be available until September 30, 2011: *Provided*, That none of the funds made available under this heading may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget; (2) complies with the Department of Veterans Affairs enterprise architecture; (3) conforms with an established enterprise life cycle methodology; and (4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: *Provided further*, That within 30 days of enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming base letter which provides, by project, the costs included in this appropriation.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $107,000,000, of which $6,000,000 shall be available until September 30, 2011.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $1,194,000,000, to remain available until expended, of which $16,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds made available under this heading for fiscal year 2010, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2010; and (2) by the awarding of a construction contract by September 30, 2011: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: *Provided further*, That of the funds made available under this heading, $933,030,000 shall be for the projects and activities, and in the amounts, specified under this heading in the report of the Committee on Appropriations of the House of Representatives to accompany this bill.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $726,800,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be available for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $85,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to assist States in establishing, expanding, or improving State veterans cemeteries as authorized by section 2408 of title 38, United States Code, $42,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2010 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2010, in this Act or any other Act, under the ''Medical services'', ''Medical support and compliance'', and ''Medical facilities'' accounts may be transferred among the accounts: *Provided*, That any transfers between the ''Medical services'' and ''Medical support and compliance'' accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers between the ''Medical services'' and ''Medical support and compliance'' accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the ''Medical facilities'' account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for ''Construction, major projects'', and ''Construction, minor projects'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the ''Medical services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations

required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2009.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from ''Compensation and pensions''.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2010, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the ''General operating expenses'' and ''Information technology systems'' accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2010 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2010 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not exceed $35,257,000 for the Office of Resolution Management and $3,287,000 for the Office of Employment and Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the ''General operating expenses'' and ''Information technology systems'' accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than $1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, major projects'' and ''Construction, minor projects'' accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, major projects'' and ''Construction, minor projects''.

SEC. 214. Amounts made available under ''Medical services'' are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to ''Medical services'', to remain available until expended for the purposes of that account.

SEC. 216. Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall allow veterans who are eligible under existing Department of Veterans Affairs medical care requirements and who reside in Alaska to obtain medical care services from medical facilities supported by the Indian Health Service or tribal organizations. The Secretary shall: (1) limit the application of this provision to rural Alaskan veterans in areas where an existing Department of Veterans Affairs facility or Veterans Affairs-contracted service is unavailable; (2) require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary; (3) require this provision to be consistent with Capital Asset Realignment for Enhanced Services activities; and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the ''Construction, major projects'' and ''Construction, minor projects'' accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds available to the Department of Veterans Affairs, in this Act, or any other Act, may be used to replace the current system by which the Veterans Integrated Services Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 219. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 220. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Amounts made available under the ''Medical services'', ''Medical support and compliance'', ''Medical facilities'', ''General operating expenses'', and ''National Cemetery Administration'' accounts for fiscal year 2010, may be transferred to or from the ''Information technology systems'' account: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 222. Amounts made available for the ''Information technology systems'' account may be transferred between projects: *Provided*, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 223. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with—

(1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or

(2) section 8110(a)(5) of title 38, United States Code.

SEC. 224. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2010, in this Act or any other Act, under the ''Medical facilities'' account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: *Provided*, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

SEC. 225. Section 1925(d)(3) of title 38, United States Code, is amended by striking ''appropriation 'General Operating Expenses, Department of Veterans Affairs' '' and inserting ''appropriations for 'General Operating Expenses and Information Technology Systems, Department of Veterans Affairs' ''.

SEC. 226. Section 1922(a) of title 38, United States Code, is amended by striking ''administrative costs to the Government for the costs of'' and inserting ''administrative support financed by the appropriations for 'General Operating Expenses, Department of Veterans Affairs' and 'Information Technology Systems, Department of Veterans Affairs' for''.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed

$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $61,800,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $27,115,000, of which $1,820,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $42,500,000, to remain available until expended: *Provided,* That none of the funds available under this heading shall be for construction of a perimeter wall at Arlington National Cemetery. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

Funds appropriated under this Act may be provided to Arlington County, Virginia, for the relocation of the federally-owned water main at Arlington National Cemetery making additional land available for ground burials.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $134,000,000, of which $72,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia and the Armed Forces Retirement Home—Gulfport, Mississippi.

TITLE IV

GENERAL PROVISIONS

SEC. 401. 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. 402. Such sums as may be necessary for fiscal year 2010 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 408. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States Congress.

The CHAIR. No amendment shall be in order except the amendments printed in House Report 111–195. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to a demand for division of the question.

After disposition of the amendments specified in the first section of House Resolution 622, 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.

AMENDMENT NO. 1 OFFERED BY MR. EDWARDS OF TEXAS

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 111–195.

Mr. EDWARDS of Texas. Madam Chair, I ask unanimous consent that I be allowed to offer the amendment on behalf of Mr. COHEN of Tennessee. It's an important amendment. I don't think there's any objection to it.

The CHAIR. The gentleman shall be considered the designee of the gentleman from Tennessee (Mr. COHEN).

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. EDWARDS of Texas:

Page 33, line 16, after the dollar amount insert the following: ''(increased by $1,000,000)''.

Page 37, line 14, after the dollar amount insert the following: ''(reduced by $1,000,000)''.

The CHAIR. Pursuant to House Resolution 622, the gentleman from Texas (Mr. EDWARDS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. EDWARDS of Texas. I thank the Chair.

I want to salute Mr. COHEN of Tennessee for his leadership in bringing this issue to the House. We are facing tremendous challenges. The number of veterans who need mental health care services, including PTSD services face a tremendous challenge finding enough psychiatrists, psychologists and mental health care professionals to provide the services that these great Americans so very much need. Mr. COHEN has taken the lead in this amendment in providing an additional $1 million for educational debt forgiveness for mental health care professionals who agree to employment at the Department of Veterans Affairs. I have actually had a number of discussions with VA employees in my district, and I think there is a sense that this kind of incentive might really encourage mental health care professionals who otherwise would not go into the VA system to do so. So I think this is a very important amendment, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. WAMP. Madam Chairman, I claim the time in opposition but not to oppose this amendment but to support this amendment.

The CHAIR. Without objection, the gentleman from Tennessee is recognized for 5 minutes.

There was no objection.

Mr. WAMP. I thank my colleague from the State of Tennessee (Mr. COHEN) for this amendment. We support the amendment, Mr. Chairman.

Mr. COHEN. Madam Chair, my amendment offered by Mr. EDWARDS of Texas increases the Medical Services account at the Veterans Administration by $1M with an offset of the same amount to the General Operating Expenses account.

It is my hope that this modest increase could be used toward the budget of the VA's Education Debt Reduction Program (EDRP).

Started in 1998, the Education and Debt Reduction Program is an excellent asset to VA. The program is a loan repayment and debt cancellation program specifically for VA medical personnel. It helps the VA to recruit and retain the most competitive and qualified professionals.

Over the course of the year, I have encouraged the VA to review its processes for hiring and retaining its doctors, nurses, clinicians, psychologists, psychiatrists and other employees that are so critical to the treatment and care of our veterans.

In years passed, more medical personnel have wanted to participate in EDRP but were unable to enroll because of funding restrictions.

This amendment could directly address this program and I strongly encourage my colleagues to support it.

In closing, Madam Speaker, I want to thank Congresswoman SLAUGHTER and staff for considering my amendment.

I also want to applaud Chairman OBEY, subcommittee Chair CHET EDWARDS and staff for crafting a fiscally responsible appropriations bill that will benefit military construction projects, the veterans' affairs administration, and veterans throughout this country.

This appropriations bill took into consideration the most feasible parts of the President's requests as well as the concerns of our veterans and veterans groups.

For years, the Veterans Administration, Veterans Service Organizations, and veterans across the country have fought for advanced funding to ensure that the VA Healthcare system is funded in a timely and predictable fashion.

For the first time, Congress is providing advanced appropriations not just for the upcoming fiscal year but for two years ahead of time. This advanced funding will affect the medical services, medical support and compliance, and medical facilities accounts and will enable the Veterans Hospital in Memphis and Veterans Hospitals throughout the country to plan and implement its programs early.

It offers $4.6 billion for mental health, the same as the President's request and $800 million above the budget for 2009. This increase will allow the VA to better deal with the mental health diagnosis, care, and treatment of our courageous veterans.

I support this bill and again I ask for your support of my amendment as offered by Mr. EDWARDS of Texas.

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

Mr. EDWARDS of Texas. I yield back the balance of my time.

The CHAIR. All time for debate on the amendment having expired, the question is on the amendment offered by the gentleman from Texas (Mr. EDWARDS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. FILNER

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111–195.

Mr. FILNER. Madam Chair, I rise to offer amendment No. 2.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. FILNER:

Page 35, line 4, after the dollar amount insert the following: ''(reduced by $3,500,000)''.

Page 37, line 14, after the dollar amount insert the following: ''(increased by $3,500,000)''.

The CHAIR. Pursuant to House Resolution 622, the gentleman from California (Mr. FILNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. I thank the Chair. I would like to thank Chairman EDWARDS and Chairman OBEY for the incredible work they have done on this budget for the last, now, 2½ years. As I understand it, we have increased the health care budget in that time 60 percent. In this bill we have raised the health care budget 11 percent; and in a revolutionary kind of approach, I think, we forward fund the health care items for the VA, and the increase is 8 percent. This is an incredible victory for veterans; and we thank, again, Mr. EDWARDS and Mr. OBEY for leading the charge on this.

You know, in the last 22 years I think we've only had the VA budget approved on time in three out of those 22 years. From now on that VA budget will be approved a year in advance. It will make sure that we have timely and adequate funding, for the VA health care system needs to know what its budget is in order to be able to run efficiently and at high quality. So we thank Mr. EDWARDS for these items. I know there are numerable things in here that we're going to pass that will strengthen health care for our Nation's veterans.

Some of my colleagues may recall that last year we authorized the VA to fund the Office of National Veterans Sports Programs and Special Events at a $10 million authorization which we believe is the appropriate amount to enhance and improve the quality of life for the men and women who have made a tremendous sacrifice for our country. The underlying bill provides $6.5 million, as requested by the administration, but it does not provide the full authorized amount. But what this amount does is it increases the level of funding by $3.5 million. I strongly believe that providing this program the needed funding to assist our injured servicemembers and veterans will enhance and improve the quality of life for these men and women while they heal from their wounds.

Madam Chair, I think all of us have been inspired whenever we have a chance to watch these warrior athletes, those who have been ''disabled''—and I put that in quotes—perform at an incredibly high level in these Paralympics with their training. It obviously strengthens their quality of life and their optimism, but it helps us all as we realize not only do people sacrifice life and limb for their country, but we can provide the resources to make sure that they have a full and productive life. So I ask my colleagues to join me in supporting this amendment.

Mr. EDWARDS of Texas. Will the gentleman yield?

Mr. FILNER. I yield to the gentleman from Texas.

Mr. EDWARDS of Texas. I would like to take this time to thank the gentleman and Mr. LANGEVIN for their leadership on this amendment. I also want to thank the gentleman for everything he has done in the past 2½ years. Our subcommittee cannot appropriate without his subcommittee authorizing it, and all the accomplishments we've listed absolutely would not have happened without the leadership of Mr. FILNER. And a particular thanks to Mr. FILNER who has been the national champion in the Congress for advance funding. It's truly a historic initiative this year.

□ 1215

Mr. FILNER. I thank the gentleman.

I would yield the balance of my time to the cosponsor of this amendment, Madam Chair, the gentleman from Rhode Island (Mr. LANGEVIN). I thank him for his leadership on these issues.

The CHAIR. The gentleman is recognized for 1½ minutes.

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

Mr. LANGEVIN. I want to thank the gentleman for yielding.

Madam Chairman, I rise today in strong support of the Filner-Langevin amendment to provide full funding to the United States Olympic Committee's Paralympic Veterans Program.

I would like to thank in particular Chairman EDWARDS for his great work in support of our service men and women through increased funding levels in the underlying bill and Chairman FILNER for his continued advocacy for our disabled veterans especially.

The USOC Paralympic program provides a unique opportunity for personal recovery and achievement for our wounded servicemembers who return from combat with serious and life-changing injuries.

Daily physical activity is often the most critical mental and physical aspect of the rehabilitation process. It reduces stress, depression and secondary medical conditions while increasing self-esteem, employment rates and quality of life.

Full funding of the U.S. Paralympic Adaptive Sports Program will expedite the expansion of services and programs to injured veterans.

The USOC has created Paralympic programs in 99 communities, providing access to physical activity and sports opportunities, regardless of skill level, for over 5,000 injured servicemembers and veterans.

Paralympic, community and veteran organizations are partnering with the USOC to invest more than $40 million in private resources annually to develop programs, provide Paralympic mentors and expand to 250 U.S. communities serving over 8,000 injured servicemembers by 2012.

After all our servicemembers have sacrificed for our country, we have an obligation to provide services and opportunities for them as they return home.

The Paralympic program has already touched thousands of lives, and with additional resources, it can help countless more veterans regain both physical strength and self-esteem. And I urge my colleagues to support the Filner-Langevin amendment.

Mr. WAMP. Madam Chairman, I rise to claim the time in opposition, even though we support the amendment.

The CHAIR. Without objection, the gentleman from Tennessee is recognized for 5 minutes.

There was no objection.

Mr. WAMP. I yield our time to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Is there any remaining time on the majority side?

The CHAIR. No.

Mr. BUYER. Madam Chair, I rise in support of this amendment to increase funding for the Office of National Veterans Sports Programs and Special Events by $3.5 million.

Seven or eight years ago, I had the opportunity to visit the U.S. Olympic training center in San Diego, and I was inspired by the attitude and positive example that our Olympians that train there continue to set for all Americans. It is truly a remarkable place.

Then as I drove away from the training center, I was also upset. I was upset because at that time in history the United States Olympic Committee was embroiled in a scandal. I was very bothered that individuals were seeking to profit off of someone else's ideal, the pursuit of excellence. I then set the course to help reorganize the United States Olympic Committee. I am very pleased that the committee was reorganized. They did great things as we went into the 2004 Olympics and then the 2008 Olympics, summer Olympics on both. Based on the experience and the relationships that developed with the Olympic Committee and the relationships of the VA, we were able to create a memorandum of understanding between the Olympic Committee and the VA to further create these sports programs. That led then to our bipartisan legislation, Public Law 110–389, to authorize a total of $10 million to fund a VA grant program to increase participation in sports at all levels by disabled athletes.

This program creates a partnership between the VA and the United States Paralympic program and grassroots disabled sports programs such as those sponsored by the Veterans Service Organizations, Disabled Sports U.S.A., and local parks and recreation organizations.

Madam Chair, it is well known that sports are a great venue to rehabilitate a wounded veteran both physically and mentally. We need to offer every possible avenue for our wounded heroes to regain their self-esteem in the face of what are often severe disabilities. By increasing the funding to the full authorization, we will ensure a fast start for the program and maximize its impact on the disabled veteran community.

I want to thank Chairman EDWARDS and Mr. WAMP for meeting this request. I ask all Members to support my amendment. You say, STEVE, ''my'' amendment? What do you mean? Well, the amendment before the House—are you ready for this—is word for word, comma for comma, period for period the amendment that I submitted to the Rules Committee.

Now bipartisanship is an affirmative act. It requires two people. It is a choice. You can either do things the partisan way or you can do things the bipartisan way. You see, when I drafted this amendment, I sent my staff down to speak with Mr. FILNER's staff. I made an offer to him that if he wanted to be on this amendment. His staff then said, Mr. FILNER is working on an amendment. The two staffs then exchanged both amendments. My staff said to Mr. FILNER's staff, Your amendment could be subject to a point of order, but if you would like Mr. BUYER to be on your amendment, that's fine.

Mr. FILNER made a choice. He wanted to have his own amendment. So he submitted his amendment to the Rules Committee, which was subject to a point of order. I submitted my amendment to the Rules Committee clean. Clean. It is mystical, almost magical, how my amendment ends up with somebody else's name on it before the House floor. It is truly magic. But in the end, bipartisanship is a wonderful thing, because through that magic and mystery that is what we have here, Mr. Chairman. We got our bipartisanship in the end because the most important thing is these disabled veterans will have an opportunity to use a platform of healing. That is what we are about.

So it is important that we get rid of the politics. That is my quest here. That is why I enjoy working with you, Mr. EDWARDS and ZACK. Stop the games. And I would yield to the gentleman.

Mr. EDWARDS of Texas. I thank the gentleman for yielding.

I don't know all the processes of the timing and who had what amendment, but what I do want to make clear is Mr. BUYER obviously clearly has been a real leader on this effort. So I salute you for your leadership on it and commend you for it.

There was no intention of any partisan politics being involved in this. I'm glad, as you are, at the end of the day because of your work and Mr. FILNER's work and Mr. LANGEVIN's work that these great Americans will be honored. I salute the gentleman for that.

Mr. BUYER. I reclaim my time, you are absolutely right. I applaud Mr. FILNER for his legislation. He worked with me to create that legislation.

But, Mr. FILNER, I want to work with you, and it is a choice. You chose not to, but in the end, through mystery and magic, we got our bipartisanship. So I will continue to extend my arm of the magic dust.

I ask for everyone to support this mystical and magical amendment.

I yield back.

The CHAIR. All time for debate on the amendment has expired.

The question is on the amendment offered by the gentleman from California (Mr. FILNER).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MRS. CAPITO

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 111–195.

Mrs. CAPITO. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mrs. CAPITO:

Page 39, line 14, after the first dollar amount insert the following: ''(reduced by $1,000,000)''.

Page 54, line 21, after each dollar amount insert the following: ''(increased by $1,000,000)''.

The CHAIR. Pursuant to House Resolution 622, the gentlewoman from West Virginia (Mrs. CAPITO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from West Virginia.

Mrs. CAPITO. Madam Chairwoman, I would like to thank the chairman of the subcommittee and the ranking member for the great work they do for veterans and our military construction around the world.

I appreciate the opportunity today to rise to offer an amendment to the Military Construction and Veterans Affairs Appropriations bill that would increase funding for a program that provides free legal services to our veterans under the U.S. Court of Appeals for Veterans Claims Account.

I am sure all of us as Members of Congress have talked to a veteran that has not received the benefits that they feel they are fairly entitled to. And if that happens, they can appeal the decision in the Court of Appeals for Veterans Claims. However, as many veterans are on fixed incomes, they cannot afford the costly legal services associated with appealing a Department of Veterans Affairs decision.

The present law entitles certain veterans who wish to appeal to free legal services so that they can receive a fair hearing that they are entitled to without the burden of huge legal fees.

Veterans from throughout my district have expressed their concern that many veterans are struggling with the appeals process, and with so many of our warriors returning from Iraq and Afghanistan, we must take measures to ensure that all of our veterans' needs are provided for.

My amendment would increase the veterans' legal services account by $1 million, providing for more services for our brave veterans.

I urge all of my colleagues to support this very important amendment. I appreciate the opportunity to offer it.

I reserve my time.

Mr. EDWARDS of Texas. Madam Chair, I rise to claim time in opposition. I want to clarify that I support this amendment.

The CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. EDWARDS of Texas. It is a good amendment. I thank the gentlewoman for offering it. I just want to say I think it is important to send a message that we want all veterans, regardless of their income levels, to have access to the full appeals process. That is what this amendment is about. I support it.

I yield back the balance of my time.

Mrs. CAPITO. I appreciate the chairman's support and the support of the ranking member. I yield back my time.

The CHAIR. All time for debate on the amendment has expired.

The question is on the amendment offered by the gentlewoman from West Virginia (Mrs. CAPITO).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. GARRETT OF NEW JERSEY

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 111–195.

Mr. GARRETT of New Jersey. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. GARRETT of New Jersey:

Page 42, line 5, after the dollar amount insert the following: ''(decreased by $4,000,000)''.

Page 43, line 6, after the dollar amount insert the following: ''(increased by $4,000,000)''.

The CHAIR. Pursuant to House Resolution 622, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. My amendment seeks to increase funding for the Grants For Construction of State Veterans Cemeteries account by $4 million and decrease funding for the Grants for Construction, Minor Projects account by $4 million.

I have met with a number of veterans in my district for a period of time, and one of the topics we have discussed at length was funding for our veterans cemeteries. There are basically two types of veterans cemeteries: Federal and State. When the original Federal cemeteries began to run out of room, the Federal Government created an optional program, the State Cemetery Grant Program that is administered by the Veterans Administration.

The Veterans Administration provides funding for State Cemeteries through this grant program. And all pending projects are evaluated by the VA and ranked in priority of order. This is not an earmarked program. It is a competitive type and ranking process.

The current priority list, however, shows there are $151 million worth of projects where the State matching funds are in place and ready to go. In other words, there are at present more than $150 million worth of unfunded State Cemetery Projects waiting for the Federal matching grant.

Yet the appropriations bill that we now consider provides only $42 million. Of course the very first priority for the State Cemetery Program is to provide funding for new cemeteries and existing cemeteries that are in need right now. However, this means that many cemeteries which require expansion, and improvement projects will not receive the funding if we keep it at the current level.

To make matters worse, the program has been underfunded for years even though the number of World War II veterans needing interments will increase rapidly.

My State of New Jersey is home to the BGWC Doyle Veterans Memorial Cemetery. This cemetery has two improvement projects that are waiting for Federal funding.

I communicated this with several VA officials in New Jersey, and they agreed that there is a need for an overall increase in the annual budget for this program, and my amendment would do just that. My amendment will simultaneously decrease the Grants for Construction for Minor Projects. It basically means we will put the money today for the use of the veterans that need it today and deal later with some administrative changes and costs like that.

Mr. EDWARDS of Texas. Madam Chair, I rise to claim my time in opposition, although I do not oppose the amendment.

The CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. EDWARDS of Texas. Madam Chair, I rise in support of the amendment. I commend the gentleman for this. I have seen firsthand what it means to our living veterans to know that they will have a place of honor to be remembered by their loved ones and the country which they served.

The State Veterans Cemetery Program is a great State-Federal partnership. This is a tremendously important amendment. I'm glad to support it.

I yield back the rest of my time.

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Mr. GARRETT of New Jersey. Before the gentleman sits down, I wanted to say thank you to the gentleman on the area of cemeteries and dealing with our heroes in the past for the work we have done together here, and the comments he made years ago in the Budget Committee dealing with the situation of spouses of our veterans as well and making sure that they are adequately taken care of as well. Besides this matter that is before us today, I just want to say thanks for your work in those areas as well.

Mr. EDWARDS of Texas. I thank the gentleman for his leadership.

Mr. GARRETT of New Jersey. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. SESSIONS

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 111–195.

Mr. SESSIONS. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. SESSIONS:

Page 58, after line 6, insert the following:

SEC. 409. Not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report detailing the current and planned use of Hyperbaric Oxygen Therapy (hereinafter in this section referred to as ''HBOT'') in Department of Veterans Affairs medical facilities. Such report shall include the number of veterans being treated with HBOT, the types of conditions being treated with HBOT and their respective success rates, and the current inventory of hyperbaric chambers.

The CHAIR. Pursuant to House Resolution 622, the gentleman from Texas (Mr. SESSIONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Madam Chairman, the amendment that I bring forth today requires the Secretary of Veterans Affairs to submit a report to Congress on the use of hyperbaric oxygen therapy, commonly known as HBOT, in VA medical facilities. My active interests in hyperbaric therapy over the last 3 years has led me to more understanding of the critical function it has performed and performs even today, and the promising potential it has for injured active-duty soldiers and veterans.

I would like to briefly comment on the currently approved uses of HBOT and the promising research into hyperbaric therapy as a possible treatment for traumatic brain injury, known as TBI.

Hyperbaric oxygen therapy uses a chamber to administer oxygen in particular dosages for already FDA-approved treatments, many of which provide remarkable benefits to our injured veterans. The oxygen acts as a catalyst in healing wounds which often fail to respond to other medical and surgical procedures and usually lack the blood circulation and blood oxygen levels necessary to heal.

These treatments include, but are not limited to: treating nonhealing diabetic foot wounds; advancing healing for crush injuries such as gunshot wounds, falls, and vehicle accidents; support for individuals suffering from exceptional blood loss; and advanced assistance in reconstructing complex wounds which require the transferring of tissues from one part of the body to another.

HBOT frequently saves a veteran from an expensive, painful, life-altering, and potentially life-threatening amputation of an arm, a leg or a foot. This therapy has been extremely impressive, and I look forward to hearing the VA's report on its current and planned use of hyperbaric therapy in its medical facilities.

Since 2006, I have been actively engaged in researching a new cross-application of hyperbaric therapy for treating another very common and life-threatening nonhealing wound: TBI,

traumatic brain injury. I have held numerous meetings with physicians, Ph.D.'s, scientists, government officials, and our servicemen and women, the Department of Defense, the Department of Veterans Affairs, all regarding the treatment of TBI with hyperbaric therapy being available to them.

Over the past year, I have seen a multitude of evidence from numerous cases that show substantial progress in brain function of our injured soldiers after treatment with hyperbaric oxygen.

As we speak today, veterans all across our country are suffering from TBI, and they are in the process of receiving hyperbaric therapy from private physicians with amazing real-world results. Many of these soldiers who could not hold a job or properly care for their families, they sometimes can't even leave their own bed, or others who have suicidal tendencies, have returned to active duty, employment, school, and perhaps more importantly, to the life of their own families.

These results have led me to believe in the promising potential of healing our brain-injured soldiers suffering from TBI and PTSD.

The Defense Center on Excellence for Psychological Health and Traumatic Brain Injury, under the command of Brigadier General Loree Sutton, is conducting a study into hyperbaric therapy for the treatment of TBI, and it is scheduled to be delivering study results in December of 2010. I highly encourage my colleague to join me over the next few months in engaging with General Sutton and the Department of Defense on this promising new application of hyperbaric therapy.

My amendment today is very simple. It asks for the VA to submit a report on their current and planned use of hyperbaric oxygen therapy. By knowing today how it is used, we can have a greater understanding of how we can assist our injured veterans tomorrow. So we are asking how the VA uses it today and where those facilities are so we can be prepared to work, when the Department of Defense has their answer available soon, to where we then coincide that with the veterans who are home with us today.

Madam Chairman, I want to say that the gentleman from Texas (Mr. EDWARDS) and the gentleman from Tennessee (Mr. WAMP) both engaged me yesterday in the Rules Committee on this amendment. I believe there could be widespread agreement that this is a good application for both of us to vote for.

Mr. EDWARDS of Texas. Madam Chairman, I rise to claim the time in opposition to the amendment, but let me make it clear I am very honored to support this amendment.

The CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. EDWARDS of Texas. I commend Mr. Sessions for his interest in pursing innovative health care procedures for our veterans. We provided tremendous increases for health care funding for our veterans over the last 2½ years. In addition to that funding and the oversight of that funding, we need to encourage the VA to be innovative. We want them to be prudent and careful. Perhaps, as we go through to conference, we should encourage the VA not only to provide a report on where it is used and how often it is using hyperbaric oxygen therapy, but perhaps we ought to work with them, encouraging them to do some studies to look into the potential opportunities of this type of care making a real difference in the lives of our veterans.

I am proud to join with the gentleman in support of his amendment.

I yield to the ranking member, Mr. WAMP, for any comments he would care to make.

Mr. WAMP. I thank the gentleman for yielding. I want to thank, actually, the Rules Committee yesterday for agreeing to this amendment coming before the House today.

Mr. Sessions has persevered on this issue now for some time. He deserves great credit. It has tremendous potential, and I look forward to working with the chairman and Mr. SESSIONS as we go forward. I also support the amendment.

Mr. EDWARDS of Texas. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. FLAKE

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 111–195.

Mr. FLAKE. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act shall be available from the following Department of Defense military construction accounts for the following projects:

Account	Location	Project	Amount
Army	Alabama: Anniston Depot	Industrial Area Electric System Upgrade.	$3,300,000
Army	Alabama: Fort Rucker	Water Survival Training Facility	$401,000
Army	Alabama: Redstone Arsenal	Gate 7 Access Control Point	$3,550,000
Air Force	Arkansas: Little Rock AFB	Security Forces Operations Facility	$1,400,000
Army NG	Arkansas: West Memphis	Readiness Center	$1,240,000
Army	Arizona: Fort Huachuca	Fire Station, Two Company	$6,700,000
Navy	California: Bridgeport MWTC	Commissary	$6,830,000
Air Force	California: Los Angeles AFB	Consolidated Parking Area Ph 1	$8,000,000
Air Reserve	California: March ARB	Small Arms Firing Range	$9,800,000
Navy	California: Monterey NSA	Marine Meterology Center	$10,240,000
Navy	California: Point Loma NB	Add/Alt Marine Mammal Surgical Center.	$2,330,000
Air Force	California: Travis AFB	Taxiway Mike Bypass Road	$6,000,000
Air Force	Colorado: Peterson AFB	East Gate Realignment	$7,200,000
Air NG	Connecticut: Bradley IAP	CNAF Beddown--Upgrade Facilities	$9,000,000
Navy	Connecticut: New London NSB	MK-48 Torpedo Magazine	$6,570,000
Air Force	Florida: Eglin AFB	Flight Test Operations Facility (413 FLTS).	$9,400,000
Air Force	Florida: MacDill AFB	Mission Support Facility	$384,000
Air Force	Florida: MacDill AFB	Consolidated Communications Facility	$21,000,000
Navy	Florida: Mayport NS	Fitness Center	$26,360,000
Navy	Florida: Panama City NSA	Joint Diver A-School Dormitory	$520,000
Navy	Georgia: Albany MCLB	Weapons Maintenance Hardstand Facility.	$4,870,000
Army NG	Georgia: Hunter AAF	Readiness Center	$8,967,000
Air Force	Georgia: Robins AFB	Hot Cargo Pad/Taxiway	$6,200,000
Air Force	Hawaii: Hickam AFB	Ground Control Tower	$4,000,000
Army NG	Hawaii: Kapolei	Readiness Center (JFHQ)	$5,446,000
Navy	Hawaii: Pearl Harbor NSY	Drydock 2 Starboard Waterfront Facility.	$850,000
Army NG	Iowa: Camp Dodge	Motor Vehicle Storage Buildings, Freedom Center.	$1,963,000

Account	Location	Project	Amount
Army NG	Iowa: Davenport	Army Aviation Support Facility Add/Alt.	$2,000,000
Army NG	Iowa: Fairfield	Field Maintenance Shop Add/Alt	$2,000,000
Army NG	Iowa: Iowa Falls	Add/Alt Readiness Center	$2,000,000
Air Force	Idaho: Mountain Home AFB	Civil Engineer Maintenance Complex	$690,000
Air NG	Illinois: Lincoln Capital Airport	Relocate Base Entrance	$3,000,000
Air Force	Illinois: Scott AFB	Aeromedical Evacuation Facility	$7,400,000
Navy	Indiana: Crane NSWC	Strategic Weapons System Engineering Facility.	$510,000
Air NG	Kansas: McConnell AFB	Upgrade DCGS	$8,700,000
Army	Kentucky: Fort Campbell	Physical Fitness Complex	$900,000
Army	Kentucky: Fort Campbell	Chapel Complex	$14,400,000
Army NG	Kentucky: Frankfort	Joint Forces Headquarters	$334,000
Army NG	Kentucky: London	Phase IV Aviation Operations Facility	$1,805,000
Air NG	Kentucky: Standiford Field	Contingency Response Group Facility	$600,000
Army	Louisiana: Fort Polk	Multipurpose Machine Gun Range	$6,400,000
Navy	Maine: Portsmouth NSY	Consolidation of Structural Shops	$2,000,000
Navy	Maine: Portsmouth NSY	Gate 2 Security Improvements	$7,090,000
Army	Maryland: Aberdeen Proving Ground	Information Processing Node, Ph 2	$956,000
Air Force	Maryland: Andrews AFB	Physical Fitness Facility	$930,000
Navy	Maryland: Carderock NSWC DET	RDTE Support Facility, Ph 2	$6,520,000
Army	Maryland: Fort Detrick	Auditorium and Training Center Expansion.	$7,400,000
Army	Maryland: Fort Meade	Intersection, Rockenbach Road & Cooper Avenue.	$2,350,000
Navy	Maryland: Indian Head NSWC	Advanced Energetics Research Lab Complex, Ph 2.	$16,460,000
Air NG	Massachusetts: Barnes ANGB	F-15 Aircraft Ready Shelters	$8,100,000
Air NG	Massachusetts: Hanscom AFB	Joint Forces Operations Center--ANG Share.	$1,500,000
Army NG	Michigan: Camp Grayling	Barracks Replacement, Ph 2	$440,000
Army NG	Michigan: Fort Custer (Augusta)	Organizational Maintenance Shop (ADRS).	$7,732,000
Air NG	Minnesota: Minneapolis-St.Paul IAP	Add/Alt Starbase Facility	$1,900,000
Air NG	Mississippi: Gulfport-Biloxi RAP	Relocate Base Entrance	$6,500,000
Army	Missouri: Fort Leonard Wood	Health Clinic	$7,800,000
Air Force	Missouri: Whiteman AFB	EOD Operations Complex	$7,400,000
Air Force	Missouri: Whiteman AFB	Land Acquisition North and South Boundaries.	$5,500,000
Army NG	Montana: Fort Harrison	Add/Alt Troop Medical Facility	$1,750,000
Army NG	Nevada: Las Vegas	Civil Support Team Ready Building	$727,000
Air NG	New Jersey: Atlantic City IAP	Munitions Administration Facility	$1,700,000
Air Force	New Jersey: McGuire AFB	Warfighter and Family Support Center	$7,900,000
Army	New Jersey: Picatinny Arsenal	Ballistic Evaluation Facility, Ph 2	$10,200,000
Air Force	New Mexico: Cannon AFB	Dormitory (96 RM)	$450,000
Air Force	New Mexico: Holloman AFB	Fire/Crash Rescue Station	$10,400,000
Air Force	New Mexico: Kirtland AFB	Add to Space RDTE Operations Center	$5,800,000
Army	New York: Fort Drum	All Weather Marksmanship Facility	$8,200,000
Air NG	New York: Fort Drum	Reaper LRE Beddown (Wheeler Sack AAF).	$2,700,000
Air Reserve	New York: Niagara Falls ARS	Indoor Small Arms Range	$5,700,000
Army NG	North Carolina: East Flat Rock	Readiness Center Add/Alt	$2,516,000
Army	North Carolina: Fort Bragg	Field Support Brigade Headquarters	$720,000
Army NG	North Carolina: Fort Bragg	Tactical UAS Support Facility	$6,038,000
Air Force	North Carolina: Seymour Johnson AFB	Radar Approach Control Complex, Ph 1	$6,900,000
Air Force	North Dakota: Minot AFB	Control Tower/Base Operations Facility	$1,710,000
Army NG	Ohio: Beightler Armory	Joint Forces Headquarters (JOC) Addition.	$2,000,000
Army NG	Ohio: Ravenna	Shoot House	$2,000,000
Air NG	Ohio: Toledo Express Airport	Multi-Use Instructional Facility	$2,000,000
Air Force	Ohio: Wright-Patterson AFB	Replace West Ramp, Ph 2	$10,600,000
Air NG	Ohio: Zanesville ANGS	New Supply Warehouse	$1,000,000
Air Force	Oklahoma: Tinker AFB	T-9 Noise Suppressor	$5,100,000
Army NG	Oregon: Camp Rilea	Water Supply System	$368,000
Army NG	Oregon: Polk County	Readiness Center	$12,100,000
Army NG	Pennsylvania: Luzerne	Readiness Center	$924,000
Navy	Rhode Island: Newport NS	Renovate Perry Hall	$8,530,000
Air NG	South Carolina: McEntire JRB	Joint Use Armed Forces Reserve Center	$1,300,000
Air Force	South Carolina: Shaw AFB	Add/Alter USAFCENT Headquarters	$21,183,000
Air NG	South Dakota: Joe Foss Field	Add to Munitions Maintenance Complex	$1,300,000
Army Reserve	Texas: Bryan	Army Reserve Center	$12,200,000
Army	Texas: Fort Bliss	Access Control Points	$6,500,000
Army	Texas: Fort Hood	Family Life Center	$8,500,000
Navy Reserve	Texas: Fort Worth NAS/JRB	Replace Joint Base Communications Building.	$6,170,000
Air NG	Texas: Kelly Field Annex	Add/Alt Aircraft Maintenance Shops	$7,900,000
Navy	Texas: Kingsville NAS	Solar Panel Array	$4,470,000
Army Reserve	Texas: Robstown	Tactical Equipment Maintenance Facility.	$10,200,000
Air Force	Utah: Hill AFB	PCC Apron NW End Taxiway A	$5,100,000
Army NG	Vermont: Ethan Allen Range	BOQ Add/Alt	$1,996,000
Navy	Virginia: Dahlgren NSWC	Electromagnetic Research & Engineering Fac Ph 2.	$3,660,000
Defense-Wide	Virginia: Dam Neck Annex	SOF Force Protection Improvements	$4,100,000
Army	Virginia: Fort Lee	Defense Access Roads	$5,000,000

Account	Location	Project	Amount
Navy	Washington: Everett NS	Small Craft Launch	$3,810,000
Air Force	Washington: Fairchild AFB	Refueling Vehicle Maintenance Facility	$4,150,000
Army	Washington: Fort Lewis	Fort Lewis-McChord AFB Joint Access	$9,000,000
Navy	Washington: Indian Island NM	Ordnance Storage Pads with Covers	$13,130,000
Army NG	West Virginia: Logan/Mingo County	Readiness Center	$501,000
Army NG	West Virginia: Parkersburg	Readiness Center	$2,234,000
Army NG	West Virginia: Parkersburg	Field Maintenance Shop	$967,000
Air NG	Wisconsin: General Mitchell IAP	Add/Alt KC-135 Corrosion Control Hangar.	$5,000,000
Air Force	Guam: Andersen AFB	Postal Service Center	$3,500,000
Army NG	Puerto Rico: Camp Santiago	Urban Assault Course	$1,669,000

The CHAIR. Pursuant to House Resolution 622, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Madam Chairman, this amendment would simply strike funding for all of the Member-requested earmarks for military construction projects and would return the money to the various accounts.

I am not here to dispute the merits of any of the earmarks in this account. I have no doubt that each of these projects will vastly improve the quality of life for military servicemembers and for their families, but that is not the issue here. I am here to draw attention to what we have talked about before, and that is the spoils system that these earmarks represent.

There are 109 Member-requested earmarks in the bill; 43 of them are going to powerful Members of Congress who serve in leadership or as appropriators, committee chairs, or ranking members. That represents about 40 percent of the share of earmarks being taken by less than 24 percent of the Members of the House.

I am sure my colleagues will tell me that these projects are sorely needed at the military bases they are earmarked for and that servicemembers will suffer without them, but what about the many installations that don't receive Member-requested earmarks in the bill and the servicemembers stationed there?

Neither Camp Lejeune nor Camp Pendleton received any Member-requested earmarks in the bill. Each of these camps houses a Marine Expeditionary Force comprised of tens of thousands of marines who deploy with great frequency. I am willing to bet that each of these installations have suggestions for new structures to build. Why haven't they received any earmarks in this bill? The answer is pretty simple: Neither of them resides in a district represented by a powerful Member of Congress.

The earmarks in this bill total more than $578 million. That is just a little bit less than the earmark totals for the CJS and Ag bills put together. Of that dollar amount, more than $240 million are being taken home by powerful Members of Congress. That is nearly 41 percent. When you take into account earmark dollars secured by rank-and-file Members in conjunction with powerful Members, that number jumps to more than $300 million, or 52 percent.

So just to reiterate, the earmarks in this bill favor powerful Members by a ratio of 2 to 1. One-quarter of the Members of this House are associated with more than half of the earmark dollars in this bill.

I wish I could say that this is an anomaly, but this is pretty consistent with the rest of the appropriation bills we have considered so far this year, and I have a chart that demonstrates that.

Earmark dollars associated with powerful Members of Congress. Again, those are committee chairs, leadership, or those on the Appropriations Committee, representing 24 percent of the Members in this body. In the CJS bill that we considered earlier, 58 percent of the earmarked dollars went to just 24 percent of the Members.

In the Homeland Security bill, 68 percent of the earmarked dollars went to just 24 percent of the Members of the House.

In the Interior bill, 64 percent of the earmarked dollars went to just 24 percent of the Members of the House.

In the Agriculture bill, 67 percent of the earmarked dollars go to just 24 percent of the Members of the House.

And in this bill, 52 percent of the earmarked dollars go to just 24 percent of the Members of this House. That is a pretty stark pattern.

There are different types of earmarks, obviously. There are those that are simply wasteful. We see those for the Rock and Roll Hall of Fame and whatever else that is easy to laugh at. Sometimes it is small amounts of money and sometimes it is a lot larger.

And then there are those, particularly in defense bills, where you are giving no-bid contracts to private companies. There is often a pattern of campaign contributions coming back to Members who secure no-bid contracts in private companies. That does not describe what is going on here.

These earmarks, as I mentioned, I have no doubt that they are for a legitimate purpose. But here is another problem with earmarking: It represents a spoils system where rank-and-file Members of the House are not given access to those that others are.

In the Homeland Security bill, it was particularly stark. As I mentioned, a huge percentage, nearly 70 percent, went to just 24 percent of the body. In fact, more than 50 percent went to just 14 percent, those represented on the Appropriations Committee, and these were for predisaster mitigation programs, flood control districts and the like. I don't think Mother Nature decides, I'm going to hit those districts represented by appropriators more than I am going to hit other districts. It is just because they are able to do it, and so they do it. So the rest of the country that competes for these grants on a competitive basis has, at least in that case, 25 percent of that account is earmarked before they can even compete for the rest of the grants that are given out on a competitive basis. Madam Chair, that is just not fair. That is just not the way we should do this. I think we ought to rethink this and we ought to strike that funding in this bill.

Mr. EDWARDS of Texas. Madam Chair, I rise to claim the time in strong opposition to this ill-advised amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. EDWARDS of Texas. I would like to begin by yielding to the gentleman from Texas (Mr. ORTIZ), the chairman of the House Armed Services Readiness Subcommittee.

Mr. ORTIZ. Madam Chairman, I want to thank Chairman EDWARDS and my good friend, Mr. WAMP—and to my other good friend, Mr. FLAKE—for bringing this responsible bill to the floor.

□ 1245

I rise in opposition to the Flake amendment. The Military Construction authorization and appropriations process is a tedious process, and it requires close coordination with my good friends on both sides of the aisle, Chairman Edwards and Mr. WAMP, and members of the committee. It also requires extensive coordination with the Department of Defense.

The committees critically review the administration's request and ensure that facilities are built for a sound requirement. The committees also ensure that the projects are executable and validated for the correct costs.

This process forces a dialogue with the local installation commanders that requires that they communicate their needs to their Representatives in Congress. This dialogue is critical to ensuring Members of Congress that they have a complete understanding of local military requirements and can correctly advocate for our Nation's defense. It is a hard process, but in the

end it ensures that the right facilities are built at the right time and at the right location. I would not be executing my oath of office if we did anything else.

I would remind my colleagues that each of these projects has already been debated in the National Defense Authorization Act.

I recommend that my colleagues vote ''no'' on the Flake amendment.

Mr. EDWARDS of Texas. Madam Chair, reclaiming the rest of my time, I have great respect for the principled position of Mr. FLAKE. I disagree with it. He believes that basically the administration should decide in 100 percent of the cases where America's tax dollars should go. I believe article I of the Constitution gives the Congress the responsibility for that.

And I feel very strongly that, while he has a principled position, he misstates and inaccurately states the process by which these project decisions were made. These were made based on what was right for our military troops and their families. The vast majority of these congressionally designated projects have gone through the Department of Defense approval process, and the Department of Defense said they were needed.

Now, he said he simply wanted to strike the earmarks. Despite his intentions, let me tell you the impact, because it's not simple intentions; it's actual impact where amendments make a difference.

If his amendment passes, we will cut $56 million for 16 National Guard readiness centers and Reserve centers. We will cut $44 million for nine military ranges and training facilities. We will cut $83 million for 16 quality-of-life facilities such as housing, clinics, and military family centers. We will cut $98 million for 16 projects to improve force protection, facilities for emergency responders, and flightline safety. We will cut $86 million for 18 equipment maintenance and storage facilities and $47 million for seven military research and testing facilities.

We will cut a project to provide properly sized and configured storage space for Mark-48 torpedoes at one of our key submarine bases, and a new hardstand for weapons maintenance at the Marine Corps' East Coast Logistics Base will be lost.

The gentleman would cut a new chapel complex to replace more than 15,000 square feet of trailers and World War II-era facilities. And he would cut a platoon-sized machine gun range at the Army's Joint Readiness Training Center.

I know he has no intention of harming our military—I would never accuse him of that—but in my opinion, he misrepresented the process by which these decisions were made. And I think not only Democrats, but my Republican colleagues, would agree that this has been a fair, legitimate process.

And by the way, it should be no surprise to anyone that Members of Congress who ask to be on the Armed Services Committee and the Military Construction Appropriations Committee are Members who represent military installations. So the allegation that because they get a higher percentage of congressionally designated funding compared to other Members somehow suggests a spoils system is just simply dead wrong, and I reject it categorically.

I would yield any time to my friend, the ranking member, Mr. WAMP, for any comments he would care to make.

Mr. FLAKE. Will the gentleman yield for a 15-second clarification?

Mr. EDWARDS of Texas. I will yield the gentleman 15 seconds.

Mr. FLAKE. I thank the gentleman.

The gentleman mentioned that this would cut several programs. This does not cut one dollar. It simply returns the money to the account and the military services would decide where to best——

Mr. EDWARDS of Texas. Reclaiming my time, the amendment would cut these projects out of this bill.

I would be glad to yield to Mr. WAMP for any comments he would like to make.

The CHAIR. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Madam Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The CHAIR. The Chair understands that amendment No. 7 will not be offered.

AMENDMENT NO. 8 OFFERED BY MS. MOORE OF WISCONSIN

The CHAIR. It is now in order to consider amendment No. 8 printed in House Report 111–195.

Ms. MOORE of Wisconsin. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Ms. MOORE of Wisconsin:

At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available in this Act may be used for the processing of new enhanced use leases in the three original National Homes for Disabled Volunteer Soldiers (soldier's home branches) established before 1868.

The CHAIR. Pursuant to House Resolution 622, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE of Wisconsin. Madam Chair, I rise today to offer my amendment which would prohibit the use of funds in this bill for the processing of enhanced use leases at the original National Homes for Disabled Volunteer Soldiers or Soldiers' Homes established before 1868.

My amendment would protect these soldiers' homes established before 1868, these historic Civil War-era buildings or the campuses on which they reside, from diversion from veteran activities to commercial purposes and it would retain these national treasures for future generations of veterans, their families, and an interested public.

The concept of a National Asylum for Disabled Volunteer Soldiers was first established by congressional legislation and approved by President Abraham Lincoln on March 3, 1865. The National Asylum was established for officers and men of the volunteer forces of the United States who had been totally disabled by wounds received or sickness contracted while in the line of duty during the Civil War. In all, 11 national soldiers' homes across the country were opened and eventually integrated into the newly established Veterans Administration in 1930. These old homes reflect how the Forefathers chose to care for and honor the soldiers who fought to keep the country united as one Nation. Their creation changed the Nation's attitude toward the care of soldiers after battle.

Built in 1867, the Milwaukee Soldiers' Home, located in my district in the Fourth Congressional District of Wisconsin, was one of the three original soldiers' homes; the other two are located in Maine and Ohio.

In late 2005, I learned that the VA and the city of Milwaukee were aggressively pursuing an enhanced use lease proposal that included the possible commercial development of several 19th century soldiers' homes buildings located on the Milwaukee VA grounds, much to the dismay and against the wishes of the Milwaukee veterans community, who wanted to protect these historic buildings for veterans purposes.

The Allied Council of Veterans and their membership approached my office with their concerns and they alerted me to the potential outcomes of the proposal and reported that they had had no input in the ongoing lease discussions.

Currently, the Milwaukee Soldiers' Home is on the National Park Service list to be designated for a place on its National Register of Historic Places. This will give the veterans an even stronger voice against any attempts to lease out for commercial purposes these historic buildings.

I urge my colleagues, on a bipartisan basis, to join me in standing with veterans to protect these historic soldiers' homes grounds for veterans' uses by voting ''yes'' on my amendment.

Madam Chair, I yield back the balance of my time.

Mr. EDWARDS of Texas. Madam Chair, I rise to claim the time in opposition to the amendment, although I

don't oppose this amendment. I support this amendment.

The CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. EDWARDS of Texas. I want to thank the gentlewoman for raising this issue, and I am glad to support her effort on this.

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

The CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. FLAKE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 62, noes 358, not voting 18, as follows:

[Roll No. 528]

AYES—62

Bachmann
Barton (TX)
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Campbell
Cantor
Cassidy
Chaffetz
Coffman (CO)
Conaway
Cooper
Deal (GA)
Duncan
Ehlers
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Hall (TX)
Hensarling
Inglis
Issa
Jenkins
Johnson (IL)
Kirk
Kline (MN)
Lamborn
Lance
Linder
Luetkemeyer
Lummis
Marchant
Marshall
McCaul
McClintock
McCotter
McHenry
Minnick
Myrick
Neugebauer
Nunes
Pence
Petri
Pitts
Price (GA)
Roe (TN)
Rogers (MI)
Rohrabacher
Ryan (WI)
Sensenbrenner
Sessions
Shadegg
Stearns
Sullivan
Tiberi
Westmoreland
Wilson (SC)

NOES—358

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

NOT VOTING—18

Barrett (SC)
Bishop (UT)
Blunt
Engel
Faleomavaega
Fudge
Granger
Graves
Heller
Hoekstra
Jackson-Lee (TX)
Kaptur
Klein (FL)
Mack
McHugh
Norton
Paul
Payne

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 1320

Messrs. DAVIS of Illinois, BOEHNER, Mrs. SCHMIDT, Messrs. MOORE of Kansas, JOHNSON of Georgia, BURTON of Indiana, AKIN and MORAN of Kansas changed their vote from ''aye'' to ''no.''

Messrs. BROWN of South Carolina and HALL of Texas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HELLER. Madam Chair, on rollcall No. 528, had I been present, I would have voted "aye."

The CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Military Construction and Veterans Affairs Appropriations Act, 2010''.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Ms. BALDWIN, Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 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, pursuant to House Resolution 622, she reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to House Resolution 622, the question on adoption of the amendments will be put en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 415, nays 3, not voting 14, as follows:

[Roll No. 529]

YEAS—415

Abercrombie
Ackerman
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray

Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Hensarling
Herger
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Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
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Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kennedy
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King (IA)
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Kirkpatrick (AZ)
Kissell
Kline (MN)
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Larson (CT)
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LaTourette
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Lee (CA)
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Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
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Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
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Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
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Putnam
Quigley
Radanovich
Rahall
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Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
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Rogers (MI)
Rohrabacher
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
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Scott (GA)
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Sensenbrenner
Serrano
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Sherman
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Simpson
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Smith (NE)
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Van Hollen
Velázquez
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Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—3

Campbell
Flake
Stark

NOT VOTING—14

Aderholt
Barrett (SC)
Fudge
Granger
Graves
Heller
Hoekstra
Kaptur
Kilpatrick (MI)
Klein (FL)
Marchant
Marshall
McHugh
Paul

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are less than 2 minutes remaining in this vote.

□ 1337

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HELLER. Mr. Speaker, on rollcall No. 529, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. MCHUGH. Mr. Speaker, due to official business, I missed two rollcall votes on Friday, July 10, 2009. I would have voted "no" on rollcall No. 528 and "yea" on rollcall vote No. 529 of H.R. 3082, the Fiscal Year 2010 Military Construction and Veterans Affairs Appropriations bill.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I missed the vote on the amendment to H.R. 3082 of Mr. FLAKE because we were detained in a hearing on the Honduran coup. Had I been present on the floor of the House, I would have voted ''no.''

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Madam Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank the gentleman for yielding. On Monday, the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business, with votes postponed until 6:30 p.m. On Tuesday, the House will meet at 10:30 a.m. for morning-hour debate and noon for legislative business. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. On Friday, the House will meet at 9 a.m.

We will consider several bills under suspension of the rules. The complete list of suspensions bills, as is the custom, will be announced at the close of business today.

In addition to the suspension bills, we will also consider the 2010 Energy and Water Development and Related Agencies Appropriation Act and the 2010 Financial Services and General Government Appropriations Act.

Mr. CANTOR. Madam Speaker, this is our first colloquy since the July 4 recess, and we are scheduled to be in session for 3 more weeks before the next recess. So, Madam Speaker, I'd ask the gentleman if he could give us a sense of what will be considered on the floor beyond next week.

Mr. HOYER. Well, I expect to complete the appropriations bills and also the large item that will be on the agenda is the health care legislation that we hope to pass before we leave on the August break. Prior to that, I intend to have on the floor a provision dealing with statutory PAYGO.

□ 1345

We have not yet determined exactly whether that bill will be free standing or whether it will be on another bill that would be reported to the House. In addition, the food safety bill is possible. The committees are still working on other matters, and we hope to have the food safety issue resolved. That came out of the Energy and Commerce Committee, but there are a number of other committees, including the Ag Committee and your own committee, Ways and Means, that have expressed interest in that.

Those are essentially the items that we intend to deal with between now and the August break.

Mr. CANTOR. I thank the gentleman.

Madam Speaker, the Senate is scheduled to be in session 1 week longer than we are in the House, and I ask the gentleman if he expects us or anticipates our working into August, as the Senate is scheduled to do.

I yield.

Mr. HOYER. I thank the gentleman for yielding.

As the gentleman I think knows, because I think he got a preliminary schedule from my office which had us working the first week in August, I received comments from both sides of the aisle from a lot of Members who have young children, school-aged children. One of the realities is, we called around

the country, and a lot of the schools are going back into session anywhere between August 15 and August 25, some later, but a lot of the schools, and Members on both sides of the aisle were concerned that if we did not break on July 31 that they would be unable to have a vacation with their children during the summer months. As a result, we concluded that we would end our session on the 31st, a week before the Senate concluded. Originally, as I say, we were both scheduled to be in the first week of August. Obviously, as the gentleman knows, the good news is that because of our rules, we are able to get our work done more quickly than the Senate is able to get its work done. So we think that we can accomplish what we need to accomplish within the time frame available.

Mr. CANTOR. I thank the gentleman.

Speaking of rules, I want to, first of all, thank the gentleman for the ongoing dialogue that he and I have had over the last several weeks regarding how the House will go forward in terms of deliberating on appropriations bills. I sincerely express my gratitude for his engagement, his patience and the back and forth; and I know that we have been unsuccessful thus far in getting to what I believe is a mutually desirable goal, which is to return to the precedents of the House in terms of open rules surrounding appropriations bills.

Madam Speaker, I'd say to the gentleman, he has noticed two approps bills for next week, and I would like to ask him, what kind of rules does he expect these bills to be considered under?

Mr. HOYER. I thank the gentleman for his observation with respect to trying to work together to reach an agreement under which we would have confidence that we could consider the appropriation bills within the time frame available to us. We are on a good schedule now. As you know, we have passed seven of the 12 bills from the House. We have five more left to go. My expectation is that we will complete those.

Let me say that he and I have now been talking, I think, for somewhere in the neighborhood of about 3½ months about this issue. Early on I made a proposal that, from my perspective, did two things: one, it provided for time frames in which we would consider legislation; and two, it provided to the minority party, which does not control the Rules Committee—we were both in that situation for a period of time—but nevertheless, provided your party with the opportunity to offer such amendments as it deemed desirable, that it wanted to offer.

With respect to the two bills that you asked me about, I have not had an opportunity to discuss with Mr. OBEY or with the subcommittee Chairs of those two committees the specific rule that they are looking for and whether or not they've been able to reach any agreements with their counterparts, the ranking members on those two subcommittees. So I can't answer your question at this point in time; but as we have had discussions, I want those discussions to continue. I will say to my friend that I had a discussion with one of your Members who is on the Appropriations Committee today who came over to this side of the aisle. We were talking about it, again, with a continuing effort to see if there is some way we can provide for the objectives of, I think, both of us.

Mr. CANTOR. I do want to, again, express my gratitude for his belief, as a former appropriator, that we ought to be operating under open rules and an open process when we are talking about deliberating and executing our constitutionally mandated role of expending and authorizing taxpayer dollars. And I do know that the gentleman shares my belief that we ought to get there. And I do also know and the gentleman has been very forthright in telling me and the leader on our side about his desire to want to get the work done of the people. I don't think that we disagree on trying to get the work done. I do believe, though, that we do owe to the American public the ability to see our work and the ability to have a full discussion on the separate issues that surround each appropriations bill. As the gentleman knows even more than many in this House, as he has served here and on the Appropriations Committee, the precedents of the House is open rules. And he and I have had discussions about what, perhaps, our party did when it was in the majority. During the Republican majority, the most appropriations bills ever to be considered under a restrictive rule during any one year was in 1997 when there were four bills discussed under a restricted rule. Again, that was in 1997. As the gentleman knows, so far this year—it's his party in the majority—there have been six bills that have been deliberated and discussed and debated under a restricted rule, and we, seemingly, are on track for 12.

Again, I know from the gentleman's discussions with me that we agree that we need to be under an open process. But as the gentleman has told me, it is the chairman of the Appropriations Committee, the gentleman from Wisconsin, who has basically overruled nearly all of us here in the House. And essentially, Madam Speaker, it seems that the gentleman who is the chairman of the Appropriations Committee closed down the process again this week, prevented Members on our side and the other side from exercising their constitutional duties while disenfranchising the millions of American citizens that they represent. So I, for the life of me, don't understand how it is that any individual, much less the chairman of the Appropriations Committee, is content to spend the taxpayer dollars without allowing there to be a full and open debate. In fact, I would bring a quote to the majority leader's attention from the gentleman from Wisconsin from October 6, 2000, when Mr. OBEY of Wisconsin said, in the context of discussing the need for open and full debate, ''We have gotten so far from regular order that I fear that if this continues, the House will not have the capacity to return to its precedence and procedures of the House that have given true meaning to the term representative democracy.'' He went on to say, ''The reason that we have stuck to regular order as long as we have in this institution is to protect the rights of every Member to participate; and we lose those rights, we lose the right to be called ''the greatest deliberative body left in the world.'' And I say that and I bring that to the gentleman's attention for exactly the point of what he and I have been trying to achieve. Let's open up the process. Again, bearing in mind, Madam Speaker, the gentleman's goal of trying to finish the work, I know that he knows—I have represented—I will do all we can; and we on this side feel that we can meet his time frame. I would ask the gentleman if he is still in the posture of being able to deliver the ability for us to have the choice of the amendments that we offer. So if we were to now say—and I'm willing to offer this to the gentleman—if we were to say, fine, as the gentleman suggested 2 months ago outside the precedents of the House, if we were to agree to time limits, then we could have the ability to offer the amendments and have full and open discussion on the appropriations bills, as he had asked several months ago; and I yield.

Mr. HOYER. I thank the gentleman for yielding.

First of all, the gentleman puts a lot of thoughts and words into my mouth that aren't necessarily there. Let me say to the gentleman that as he knows, some 3½ months ago I did, in fact, come to the gentleman, I subsequently came to the leader and indicated that I thought that we could reach agreement if, in fact, we could reach an agreement on time limits; and I was prepared under those agreements to have the minority choose such amendments as they wanted to offer, rather than have the Rules Committee do that. That offer was rejected, as the gentleman knows. It was rejected relatively emphatically by Mr. BOEHNER in a meeting in my office, attended by Mr. LEWIS, Mr. OBEY, Mr. BOEHNER and myself.

Now you quote Mr. OBEY. In November of '06 the American public decided that they wanted to change the leadership in the House and Senate. They did so. Mr. OBEY took over as chairman of the committee, as he had been chairman in years past. Of the 12 bills, Mr. OBEY brought 10 bills to the floor under open rules. We did so under the understanding that you would give to us exactly what we gave to you under time agreements. Notwithstanding that, we debated those bills for 50 hours longer than the time constraints that we had agreed in '06 with you, the year before, when you were in charge of the House of Representatives.

So Mr. OBEY concluded—and I did as well—that those time agreements

would not be honored and were not honored. Now I know there is a disagreement between your side and our side as to why they weren't honored. But there is no disagreement that they took 50 hours longer to consider those bills than was the case in '06.

Now having said that, we then went to Rules. I offered an agreement some 3½ months ago that was rejected. We then went to the bills, and we had gone to markups. Now we had a markup just the other day in committee on the Financial Services bill and the Energy and Water bill. I'm not sure exactly the number of amendments that were offered but most of which were not germane to the bills. That markup took until after 1 a.m. in the morning on nongermane amendments.

You and I have been discussing, trying to come to grips with time constraints. But I will tell you that time constraints—and you've indicated, trust us on good faith. I tried to get some indication of what ''good faith'' means, what criteria could I judge good faith on. We haven't reached agreement on that. But I will tell you that during the CJS debate on the rule, Mr. LEWIS was asked on the bill that came to the floor under an open rule—Mr. LEWIS said this after being asked, ''Can we reach a time agreement?'' He said, Because of that—referring to the 127 amendments, et cetera, et cetera, that were preprinted in the bill, 104 of which were Republican amendments.

Now under an open rule, of course, as the gentleman well knows—which, by the way, he serves on a committee that hardly ever reports its bills under an open rule. Hardly ever does a bill come out of the Ways and Means Committee that has an open rule. It's closed. You guys decide what to do, you bring the bill to the floor, and say, Take it or leave it.

Now here's what Mr. LEWIS said in response to that question: ''I think the time limitation you were discussing was like for 8 hours or something,'' which is essentially what the bill took in the year 2006 when you were in charge. ''I'm afraid my conference might very well have a revolution on its hands, and you might have a new ranking member,'' was in response to, could he agree to time constraints.

So I tell my friend that he is right. I have tried to reach an agreement on where we could have a time agreement, and you would offer such amendments as you deemed to be appropriate within the time frame agreed upon. Unfortunately we didn't reach such agreement. I talked to Mr. OBEY about that, and I talked to the Speaker about that. I believe that had we reached agreement, we would have proceeded on that course.

Now that does not mean because we did not proceed on that course that I don't want to continue discussing it. I want to assure the gentleman of that, because I believe that the more open our debate is, the better we are. The gentleman is correct when he characterizes my feeling as that. But it has to be within the context of being able to get the American people's work done in a timely fashion. I know the gentleman has indicated he agrees with that. Unfortunately in 2007, the last time we really did appropriation bills—we didn't do them last year, again, because extraneous amendments were offered to a number of the bills in the Appropriations Committee, and we didn't move ahead on those, as you did not move ahead in some of your years. I think that was, from my standpoint, unfortunate.

But I tell the gentleman in closing that I am hopeful that as we move ahead, we can do so perhaps through agreement. Now in terms of Mr. OBEY, Mr. OBEY is the chairman of the committee. Mr. OBEY and Mr. LEWIS have talked. They have not reached agreement, as Mr. LEWIS indicated he could not. And frankly, the subcommittee chairmen have not reached agreement. I'm sure that the gentleman understands that, as majority leader, I'm very concerned about what the chairmen of both the committee and the subcommittee feel in terms of how their bills are handled on the floor, and we try to accommodate them.

□ 1400

Mr. CANTOR. Mr. Speaker, I thank the gentleman.

He and I have talked about Ways and Means, and again, he and I both agree that as far as the duty of this House to deliberate on appropriations bills, precedent has always been, by and large, for open rules. We have diverted from that precedent wholly at this point, and we are just trying to see if we can turn back to some open and full debate around the bills.

So I hear the gentleman, and he, as he properly says, accurately reflects discussions that have gone on between a variety of individuals. But I'm here to tell you, Mr. Speaker, that the gentleman has asked for us to commit, and he wants to know what is reasonable and fair and what our good faith means.

So I would respond to the gentleman by saying this: Because we were unable to fulfill the full return to the precedents of the House, although I do think that the gentleman from Maryland would like to, because Mr. OBEY has seemed to get his way in shutting out the millions of American people, I will sit here and tell the gentleman that in consultation with our leader, JOHN BOEHNER, as well as the ranking member, JERRY LEWIS, we are committed to fulfilling the leader's desire to finish the appropriations bills in a timely manner, but with full and open ability of our side to discuss the issues that we and our constituents feel should be discussed.

So I would ask the gentleman, is he in the position to readily accept at this point the ability for our side to have 20 amendments, 20 amendments, and give our side 10 minutes on each amendment to discuss those? That is a fair and good faith proposition, largely divergent from the precedents of this House. But in trying to meet the majority's desire to do what it can, the minority then proffers this offer.

I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding, and I will certainly have a discussion with that. It sounds to me a little bit like the offer that I made 3½ months ago, so I certainly am going to consider it in light of the fact it sounds a lot like the offer I made. I will be in further discussions with the gentleman.

Mr. CANTOR. I thank the gentleman.

At this time, Mr. Speaker, I would like to yield to the ranking member of the Rules Committee, the gentleman from California (Mr. DREIER).

Mr. DREIER. I thank the gentleman for yielding.

I have to say, Mr. Speaker, as I listened to the very thoughtful remarks coming from my friend, the distinguished majority leader, I am reminded that he came to Congress just a few months after I came in 1980. And I am reminded how we stood here on opposite sides engaging in the first Oxford-style debate, if the gentleman recalls, Mr. Speaker, on the issue of trade policy being used to enforce human rights. That was the discussion we had two decades ago. I simply put that forward, Mr. Speaker, in an attempt to underscore the fact that we are both institutionalists. We both served nearly three decades here, and we feel strongly about this institution and about the responsibility that we have to the American people.

I know that my friend understands full well that if one looks at the Constitution and the precedents that have been set in the past, there is a clear differentiation between the Ways and Means Committee's work and the Appropriations Committee's work. And there is also clearly an understanding of the disparity between the notion of opening up the Tax Code to a completely open amendment process and dealing with the appropriations process through an open amendment process which has, for 220 years, been the case, with some exceptions.

The interesting thing about those exceptions, and I know we have had both private discussions and we are engaging in public discussion now, and I thank my friend, the distinguished Republican Whip, for yielding to me, one of the things that I believe has not been tried, I know has not been tried in this process, is to allow not the top elected leaders of the party to make these kinds of decisions, not even the chairman and ranking member of the full committee.

But just to report to my friends here, Mr. Speaker, in the Rules Committee the day before yesterday we had an opportunity to hear from the distinguished Chair of the Agriculture subcommittee, Ms. DELAURO, and the ranking member of that committee, Mr. KINGSTON. And recognizing that

there has been difficulty, recognizing that sometimes the appropriation process has, as my friend correctly has said, seen Members engage in dilatory practices, Mr. KINGSTON made it clear that if we were to have an open amendment process, that he would do everything within his power to ensure that shenanigans would not take place on our side of the aisle that could delay the process, because we all acknowledge that we want to get the work done. Mr. CANTOR has said that. Mr. LEWIS has said that. We very much want that to take place.

What we are arguing is that if you look at when we have had structured rules in the past, they have, in almost every instance, followed the inability of the subcommittee chair and ranking member to successfully propound a unanimous-consent agreement.

So while Mr. CANTOR just made an offer, I frankly believe that we should do everything we can to at least attempt, just take one of the appropriations bills, and see if, not the majority leader and the Republican Whip, or the Republican leader and the Speaker or whatever, the top elected positions within our party, rather let the subcommittee chairmen make an attempt at doing that.

I say that, Mr. Speaker, because as we look at even the notion of what we began with, which was what created the high level of frustration for us—and yesterday I did a ''Dear Colleague'' explaining this process, the notion of somehow having a preprinting requirement does create undue constraint on both Democrats and Republicans when it comes to the appropriations process. And that is what led to the over-100 amendments being filed, because of the fact that when we considered the bill that we just passed 1 hour ago, in this House, last year, the unfortunate thing was there was no chance for even perfecting amendments to be offered to technical concerns that were there. In light of that, we felt very concerned about even having the preprinting requirement.

So my request would be, since we have now—unfortunately, having passed the five appropriations bills that we have, I guess it is six now that we have passed, six now as of this afternoon—we are unfortunately creating what I'm describing as the ''new norm.'' I know that as an institutionalist, the majority leader would not like to see that continue.

I hope very much, Mr. Speaker, that we are able to at least make an attempt to embolden, as has been the case in the past, our Chairs and ranking members of the appropriations subcommittees, who are expert on these bills, to work on them and work with our colleagues on that.

I thank my friend for yielding. I hope very much we can at least make that attempt on one bill as we move forward.

Mr. CANTOR. I thank the gentleman from California. He really echoes the remarks, I think, and my sense in the beginning of this discussion many, many weeks ago that he and I have spoken, as well as spoken with the gentleman from Maryland. I do think the gentleman from Maryland agrees.

But I would just leave this subject, Mr. Speaker, with that fact that the gentleman from Maryland has said he will get back to me in terms of the offer that is on the table. And as he may know, and certainly the chairman of the Appropriations Committee does know, that in the year 2007, when the Republicans became the minority, it took 23.3 days to discuss appropriations bills for a total of 170¼ hours. If we compare that, and I'm sure that the chairman of the Appropriations Committee does know this, or could find this out, in 1995, the first year that his party took minority status or was relegated to that status, the appropriations bills took 31 days and 205 hours. So we are not talking about anything other than the RECORD here, and the RECORD indicates the minority in 1995 took a lot more time than we did in 2007.

Now, in keeping with the gentleman from Maryland's desire to get the work done, the gentleman from California says he shares that, as do I, as does our leader, as does our ranking member on the Appropriations Committee. We are committed to doing that. I look forward to the gentleman's return in terms of the offer that I have expressed. And my friend, the gentleman from California, I will yield.

Mr. DREIER. I thank my friend for yielding.

One other caveat, as we talk about these committees, one of the things that I think my colleague should know about the Rules Committee is that we have the ability to do virtually anything that we want in the Rules Committee. And as we have heard over the past few weeks, the concern that has been raised is this calendar issue, trying to get this work done before we head into the August recess to deal with these issues.

I think that it is clear that after this process goes on, an outside time limit could be put into place on each of the appropriations bills. That could be the rule that comes down, if that is something that the majority chooses to do. The concern that I have as we look at the amendments, traditionally there have been opportunities for bringing about real spending cuts in appropriations bills.

As we look at these double-digit increases in the appropriations bills, unfortunately, cherry-picking amendments, which is really what has happened so far with this process—and I understand the offer that my friend made early on about minority amendments and the opportunity to offer that. But right now what we have is a situation where the Rules Committee is choosing these amendments. If, in fact, it simply is a time issue, rather than choosing those at all, the Rules Committee could, as my friend has pointed to the 200 hours that have been spent, it would be very easy to simply say, 8, 10, 12 hours would be the outside time limit for the appropriation work of a subcommittee here on the floor, and then we can do it under an open amendment process.

I thank my friend for yielding.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, we are wondering on this side, having read the news reports, having listened to the gentleman this past Sunday on FOX News about his, in my opinion, refreshing comments about his disappointment as to where we are in this economy and the stimulus that was supposed to have addressed this economy. Again, ''refreshing'' not because the economy is bad, but simply because I think there is a recognition that the ''stimulus'' bill, that it was called, that passed has not delivered on the promise that this administration made about keeping unemployment down.

I would ask, since we see unemployment nearing 10 percent, since the promises that were made of the stimulus bill was that we would stave off that unemployment, and it would be no higher than 8½ percent, I would ask the gentleman if he expects to be able to return to the subject and be able to put in place a plan to really do something to create or foster an environment to create jobs, or should I believe the reports that I am reading that perhaps we are going to have yet another stimulus bill the likes of which we have already seen that has not worked?

I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding.

First, before I go to the gentleman's specific issue, I want to make it very clear that, first of all, Mr. OBEY, contrary to what was represented, did not make his decisions in a vacuum. This was discussed. I don't want any implication that Mr. OBEY arbitrarily and capriciously acted on his own.

When the determination was made, as a result of the conversations that ensued between chair and ranking members, both of the full committee and of the subcommittees, that was a collective decision that was made. It was not Mr. OBEY's alone. So any implication that that was the case is not accurate, I tell my friend.

□ 1415

Now, with respect to the stimulus package, the Recovery and Reinvestment Act, we believe the Recovery and Reinvestment Act is working. We believe there are an awful lot of policemen, firemen, teachers, who are still protecting the public safety, fire and police. And teaching our children, class sizes have not increased because of the Recovery and Reinvestment Act, because of the investment we made in States to try to stabilize their fiscal condition, which is very, very bad, as the gentleman knows.

The gentleman was not here, of course, but in 2001 and 2003, Mr. DREIER

and I were here, some others on the floor were here. We adopted an economic program that the leader, your present leader said, and others said, Mr. DeLay said and other members of your leadership said, and the President of the United States said, would build an extraordinarily robust economy, would take our country to new heights of economic well-being.

The gentleman I am sure probably knows these figures, but during the last year of the Bush administration, after having passed, without the Democrats stopping it or changing it or modifying it, after adopting the economic program and pursuing it for 7 years, from 2001 to December of 2008, in the last year from January to December, we lost 3.189 million jobs. 3,189,000 jobs were lost, the worst economic performance of any administration over 8 years in the last 75 years. In other words, since Herbert Hoover. The worst performance.

Now, in the last year of the Clinton administration, I tell my friend, we gained. In the last year, when, as you recall, there was a slight slowdown, we gained 1.9 million jobs. So the turnaround from the last year of the Clinton administration and the last year of the Bush administration was 5 million jobs. That was the economic status that was left, the legacy of the Bush administration and of the policies adopted by the Republican Congress from 2001 to 2006 which was not changed, as you recall, because President Bush had, of course, the veto.

The fact of the matter is that the Clinton administration created an average of 216,000 jobs per month on average over 96 months. The Bush administration, under the economic policy that you promoted then and are promoting now, I don't mean you personally, but your party is promoting. And let me say this again, under the Clinton administration, 96 months, an average of 216,000 jobs a month were created, plus. Under the Bush administration, the average job performance over 96 months was 4,240 jobs per month. You need 100,000-plus to stay even in America.

Now let me give you an additional figure. In the last 3 months of the Bush administration, you lost an average of 650,000 per month. Over the last three months, we have lost far too many, but an average of 450,000 per month. In other words, while we are not in the plus place, which is why I expressed on Fox News my disappointment, I can't imagine there is anybody in this Chamber, the President is disappointed, the Vice President is disappointed, the American people are disappointed that we are not creating those 216,000 jobs per month that we did under the Clinton administration, and we are still losing jobs because of the disastrous economy that was inherited.

I tell my friend that it was not just the facts that argue that, but Secretary Paulson, Ben Bernanke and President Bush said we had a disastrous economic crisis that confronted us at the end of the Bush administration's economic policy conclusion and asked us to respond very vigorously to that.

As you know, during the course of the Bush administration, we did that. Unfortunately, it has not been enough. We did that again with the Recovery and Reinvestment Act which we think is succeeding. But my friend would, I think, fairly observe that his 2001 tax cut after 130 days had not turned America around; in fact, in my view, never turned America around.

Now your leader talked about on that same show, well, we created 5 million jobs. There was a spike up, and a disastrous spike down, which is why, as I said, 3.18 million jobs were lost during the last year of the Bush administration.

We believe that the Recovery Act can work. We think it will work. We hope this economy comes back from where it was left us on January 20, 2009. America is experiencing pain. Too many of our people are experiencing pain. We regret that. It is disappointing. We need to take such efforts as we can to correct that.

I will tell my friend in addition to that, at this point in time there is no intent to have an additional bill on the floor. The administration is not talking about it. We are not talking about it. I was asked a question in the press and I said rightfully, we certainly wouldn't put that off the table. We will consider steps that need to be taken in order to address the economic crisis that confronts our Nation, but there is no plan at this point in time to offer an additional bill of that type.

Mr. CANTOR. I thank the gentleman for his remarks, and just say historical facts can be applied and used at will, and that there were plenty of opportunities to point and cast blame and claim credit as there were Republican Congresses and Democratic Presidential administrations and the like. So we could go on for a long time about the past.

My point, Mr. Speaker, in posing the question to the gentleman is as a result of the mere fact that promises were made by this administration, goals were set. We were told this stimulus bill, if we were to act in haste, the way this Congress acted, and in fact no one in this body read that bill of 1,100 pages, we were told if we were to pass that bill and it were to be signed into law that unemployment in this country would not exceed 8.5 percent. As we know, as the gentleman knows, in many parts of the country it is well in excess of 10 percent. Nationally, we are on the way to 10 percent.

We must and should, Mr. Speaker, in this House do all we can to try and get this economy back on track. It is not that we should repeat the mistakes of the past in that stimulus bill, and we await the administration, the gentleman's prescription as to how to address, as he says, the very real pain that America's families are experiencing.

Mr. HOYER. If the gentleman would yield, let me say that looking in the past is not fruitful unless you learn from the past.

The point of my recitation was that the policies proposed in 2001 and 2003 demonstrably did not work, and I read the results of those policies which were the policies of the Bush administration. What I pointed out is that it is the same formula that is being recommended once again from your side of the aisle. So it is instructive to learn from what didn't work in the past.

I reject your assertion that the Recovery and Reinvestment Act hasn't worked. I have pointed out to you that we have lost a third less jobs over the last 3 months than we lost during the last 3 months of the Bush administration.

Is losing one job one too many? It is. Is it a disappointment? It is. But after a quarter and a little more of effectiveness, 95 percent of Americans got a tax cut, got money in their pocket, as you know, as a result of the Recovery and Reinvestment Act. There is $65 billion of construction jobs being affected. Has it gone out fast enough? It hasn't. Is it starting to pick up? It is. Was the thought 10 to 15 percent would be spent within the time frame we are now talking about? Yes, that was the projection. Has that happened? Yes, it has. So that projection was correct. Is unemployment higher than we anticipated? Yes, it is, because the recession and almost depression, according to Bernanke, that we inherited from the last administration was so deep and so endemic that we are having real trouble getting out of it.

Mr. CANTOR. I thank the gentleman, and in closing, I would leave the gentleman with two points: one, the plan that the House Republicans put on the table and presented to this President was focused on small businesses. If he looks at that plan as the President did, and the President clearly said there is nothing crazy in this plan, which meant that these are things that could work.

The President also, to my second point, claimed that we may have philosophical differences on tax policy and the rest, but he said to me, ''I won.'' So it is, Mr. Speaker, this President's and this Congress's economy. We stand ready and willing to proffer up yet again our plan to address the economic woes of the American families. We have a plan that would be at half the cost of that stimulus bill and produce twice the jobs.

ADJOURNMENT TO MONDAY, JULY 13, 2009

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate, and further,

when the House adjourns on that day, it adjourn to meet at 10:30 a.m. on Tuesday, July 14, 2009, for morning-hour debate.

The SPEAKER pro tempore (Mr. KISSELL). Is there objection to the request of the gentleman from Maryland?

There was no objection.

REPORT ON H.R. 3170, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2010

Mr. SERRANO, from the Committee on Appropriations, submitted a privileged report (Rept. No. 111–202) on the bill (H.R. 3170) making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

UNINFORMED OR MISINFORMED

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

Mr. SMITH of Texas. Mr. Speaker, Mark Twain once said, ''If you don't read the newspaper, you are uninformed; if you do read the newspaper, you are misinformed.''

Both might be true for those who rely on the national media for all the facts. For example, you might not know that the unemployment rate jumped to 9.5 percent last month, the highest rate in almost 30 years.

Or that the Vice President this week admitted the Obama administration misread the economy.

Or that President Obama has given more than a dozen ambassadorships to individuals who raised a total of over $4 million for his campaign.

Or that while the media report that 46 million people lack health insurance, there really are only 10 million people who can't afford or can't get health insurance.

The national media should report all the facts so Americans are not uninformed or misinformed about major issues.

□ 1430

HONORING HAZEL HAINESWORTH YOUNG

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise with great pride and a deep sense of sadness. Pride because I'm honoring Hazel Hainesworth Young, 103 years old, who passed just a week ago in my own hometown of Houston, Texas.

I am honored to say that she was an educator all of her life, a school teacher. She, in essence, set the standard for our famous Jack Yates High School and Phillis Wheatley High School. Phillis Wheatley High School was the school that Congressman Mickey Leland graduated from and Congresswoman Barbara Jordan.

Hazel Hainesworth Young was a magnificent soul, someone who nurtured the leaders of today, who was the dean of girls at Wheatley High School, whose daughter, Maryann Young, followed in her footsteps as a teacher. She was a Soror. She was a wonderful icon of Alpha Kappa Alpha Sorority. But she was a public citizen.

Her brother, of course, part of the, if you will, the intelligentsia and the excellence of legal prominence in the civil rights movement, but she brought about the civil rights movement by teaching to young Negro children—yes, Negro children—the opportunity to go forth and to shoot for the stars. There were no barriers to her teaching.

She was honored in her lifetime because so many were guided and inspired by this wonderful, beautiful woman. I had the chance to be mentored by her, and I will go home to honor her, but she is honored today on the floor of the House. What a wonderful woman. Hazel Hainesworth Young, 103. She passed, but she will live on forever.

HEALTH CARE

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

Mr. REICHERT. Mr. Speaker, Americans all agree, and even Members of this body, Members of Congress, agree on the broad major concepts of health care reform. We all agree that health care should be cost effective, easily accessed, high quality with choices, focused on the patient, and it should be for everyone.

A government takeover, though, wouldn't be affordable. It will cost $1.6 trillion. Easy access? Ain't gonna happen. High quality? I don't think so. Customer service? You've got to be kidding. Doctors might say you need an x ray; but under the government-run plan, you may just get told you've been X'd.

NEW HEALTH CARE WILL COST AN ARM, A LEG, AND A WHOLE LOT OF TAXES

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

Mr. BURTON of Indiana. Mr. Speaker, the people of this country want to know how we're going to pay for this health care plan that the Democrat majority is going to put forth.

Last week, on ''Fox News Sunday,'' Mr. Wallace asked this question of Congressman HOYER, the majority leader, he said, How are you going to pay for it specifically? What taxes are you willing to raise, and are you going to tax health care benefits? And Mr. HOYER said, ''Well, I'm not going to go into—that's a proposal on the table in the Senate, not in the House, as you know. The pay-fors are going to be tough. Nobody wants to pay for what we're buying. And very frankly, our financial status in America has gone down.'' In other words, he didn't want to tell how the American people were going to have to pay for that program.

And then the President of the United States, at his town meeting last week, said, Now, one-third of it we're going to pay for by increased revenues—that's increased taxes—and the cost will be between $1 trillion and $3 trillion, probably closer to $3 trillion. So he's saying they're going to have to raise at least $1 trillion in new taxes.

And then he went on to say about two-thirds of it would come from reallocating money that's currently in the system. Now, where in the world are they going to get $2 trillion out of other programs to pay for the extra two-thirds?

The people of this country are being hoodwinked. This health care program they're talking about, this socialized medicine, is going to cost an arm, a leg, a lot of taxes, and inflation because they're going to spend money we do not have.

HEALTH CARE: MEND IT, DON'T END IT

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

Mr. COFFMAN of Colorado. Mr. Speaker, soon we will be debating health care reform on the floor of the United States House of Representatives. The goal is to pass legislation before the upcoming August recess. No doubt one of the most significant features of the debate on health care reform will involve what is now known as the ''public option.''

The public option is a government-run health care program. The President has said that anyone who has private health care insurance will be allowed to either keep it or join the government plan. Mr. Speaker, the public option is the first step to a complete government takeover of our private health insurance system. The public option will have advantages by virtue of being a government entity. It will destroy the private health care insurance market, turning the entire system over to a Federal bureaucracy.

The Federal Government's record of managing Medicare, Medicaid, and the care of our veterans is one of allowing massive fraud, inefficiencies, and the abuse of patients.

Mr. Speaker, our private health insurance is in need of reform, but I would urge my fellow Members of Congress to mend it and not end it.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to without amendment in which the concurrence of the House is requested, concurrent resolutions of the House of the following titles:

H. Con. Res. 131. Concurrent resolution 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. 135. Concurrent 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.

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

S. 1007. An act to amend title 28, United States Code, to provide for a limited 6-month period for Federal judges to opt into the Judicial Survivors' Annuities System and begin contributing toward an annuity for their spouse and dependent children upon their death, and for other purposes.

S. 1289. An act to improve title 18 of the United States Code.

SPECIAL ORDERS

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

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

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

DREAM ACT AND IMMIGRATION REFORM

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

Mr. POLIS. Mr. Speaker, last week, hundreds of thousands of people throughout the country, many of whom were in Colorado, picked up their phones and called Secretary of Homeland Security Janet Napolitano to ask her to delay the deportation of a young man from Miami, Florida, Walter Lara.

Let me tell you a little bit about Walter. Walter moved to the United States from Argentina when he was 3 years old, and he has never left. He has dedicated thousands of hours to serving his community, tutoring children in mathematics and computers. He stood out in high school as an honor student and graduated from Miami Dade Honors College in 2007. But instead of following his dream and pursuing a promising career in computer animation and Web design, Walter's graduation gift was an imminent deportation order.

Walter was scheduled to be deported over the 4th of July weekend, but thanks to a week of intense activism by congressional leaders, the SEIU, bloggers, and thousands of grass-roots activists who made calls and sent letters on Walter Lara's behalf, the Department of Homeland Security moved to defer 23-year-old Lara's scheduled deportation back an entire year until July 3 of 2010.

While I was thrilled to hear that Walter's deportation has been delayed and he would be able to stay in the United States, this action alone is far from enough. What will happen to Walter in 2010 if we don't pass comprehensive immigration reform? What does it mean for the hundreds of thousands of Walters throughout the country who came to the United States as children, excelled in school, played by the rules, only to face deportation?

Despite meeting State residency requirements, immigrant students in most States are charged out-of-state or international tuition rates which effectively render college inaccessible. These kids, Mr. Speaker, are as American as anybody else, but for far too long they have had their dreams shattered by an education system that ignores their good grades and hard work.

Educational opportunity is a right, and something that we are all taught that if you work hard in this country and you don't give up, you can achieve anything. But the doors to opportunity have been shut for thousands of hard-working students who have been raised and educated in our country.

Even though Walter was able to stay, the U.S. Government deports thousands of students just like Walter and will continue to do so until we pass the DREAM Act as part of comprehensive immigration reform. The DREAM Act will ensure that children who have grown up in the United States and studied in American schools can remain here and work and pay taxes and live in our country.

Under the American DREAM Act, qualified students would be eligible for temporary legal immigration status upon high school graduation that could lead to permanent legal residency if they attend college or serve in the military.

Students like Walter are our greatest natural resource, and they should have access to higher education, the key to both individual success and our Nation's economic growth and prosperity.

I recently had the opportunity to visit an immigrant detention facility in Aurora, Colorado. These are young people, people of all ages, who are picked up. They might have broken the speed limit, they might have a taillight out on their car, they might simply have been loitering, and now, with taxpayer money, we are putting them up at $120 a day of our hard-earned money rather than them being out working and paying taxes to reduce our deficit.

Mr. Speaker, in this era of budget deficit, putting Walter and people like him in a government hotel that taxpayers are paying for for $120 a day makes absolutely no sense when Walter would rather be out working and paying taxes to help reduce our deficit.

To help the hundreds of thousands of Walters across the country, now is the time to pass comprehensive immigration reform, and I strongly urge my colleagues to support it.

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

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

WE NEED TO CUT TAXES

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. Mr. Speaker, the people of this country many times get so frustrated because they think that we here in Congress don't hear them, we don't listen to them. I have a couple of letters here I would like to read into the RECORD—at least part of them—so that my colleagues in the House can get some flavor for what the people in mid-America are thinking right now.

This letter is from a lady named Emmaline P. Henn in Huntington, Indiana. And she says: ''Dear Congressman Burton, it was great to hear you and speak with you at Huntington's Lincoln Day Dinner, but we want to stress the things we said then. We do have confidence in you''—which I really appreciate.

She says: ''We are appalled by what is happening in Washington. Now in our 80s, we have seen many administrations; none has been as frightening as this one. In less than 6 months, President Obama and his team have drawn the U.S. Government deep into private business. The government's business is governing, not business.

''There is no doubt the President and his team have taken us far on the road to socialism, so far that we fear there may be no return. Their spending is out of this world, and it will not save the economy.

''In the long run, bailouts don't work. The health care issue, the credit card issue, the card check issue, and more, are taking us far from free enterprise and are causing many citizens to give up on self-reliance and responsibility in favor of relying on the government. There is little incentive for talented people to innovate, work hard, and create business. What a terrible lesson.

''We pray you fight for this movement. At the same time, we pray you will support keeping the United States safe in every way you possibly can.''

You can hear the frustration in this lady by the way her letter sounds. But then there is another one here from a

General Motors dealer in Wabash, Indiana. And I will just read part of this letter because I think it really—I want to put the whole thing in the RECORD, but I want to read part of it because it tells you the frustration that small business people have in this country.

It is from David and Kay Dorais. And she says: ''My husband, David Dorais, and I are the owners and operators of Dorais Chevrolet in Wabash, Indiana. This business was started over 60 years ago by my husband's grandfather, Gus Dorais.

''Gus was the first All American in football from Notre Dame University. He came to Wabash, Indiana, from Detroit. He began a Chevrolet dealership operating under the philosophy of 'give back to the community that has given so much to you.' This is the philosophy we have strived to operate under.

''We have always been extremely loyal to General Motors and to our community. Small business is what helped to build this great country of ours, and loyalty is what makes all of us successful. We have always given back whenever asked, often times without being asked. We have always paid taxes. We have always voted. We have always made contributions. We've always participated in the programs that General Motors asked us to participate in.''

And then they go on to say that they had an attorney that was talking to them about the way they're being treated by the government and by General Motors, which is now controlled by the government—Government Motors now, no longer General Motors. And they say: ''We are now no longer to be a part of the 'new General Motors.' We are no longer good enough, even though we were part of the faction that helped to support them for years.

''Yesterday I listened to an attorney representing auto dealers speak. He is the first person I have heard make any sense in this mess. He asked, where are your elected representatives? Where are the elected officials that you donated to? Where are the elected officials that you voted for? He further added that these people never hesitated to ask for your help, but where are they now? The most important question asked was, why are you allowing them to turn their backs on you?''

And I would just like to say, if I were talking to my colleagues in the House, my friends in the Senate, or if I were talking to the President, I would say, it's time for us to pay attention to these people. Instead of putting everything under government control, instead of trying to bail out everything by printing money that we don't have, we ought to be cutting taxes like they did under Ronald Reagan.

We cut taxes across the board when we had terrible problems back in the early eighties. We had 14 percent inflation, we had 12 percent unemployment—worse than we have right now, and when Reagan came in, instead of throwing money at everything what he did was said, we're going to give people some of their money back, we're going to cut their taxes. We're going to cut business taxes because if we do that, they will have more income and more money to spend on expanding our economy to buy products, to produce new products. And he did that.

□ 1445

And because of that, we had one of the longest periods of economic expansion in this country's history.

You compare that to what we're seeing today where businesses are being driven out of business. This business has been there for 60 years, and they're going out of business because we're trying to solve the problems by letting government solve everything. Sixty-one percent of General Motors is going to be run by the unions now, and we've spent $57 billion bailing these companies out when we could have done it the way Ronald Reagan did.

I want to end by just saying I feel real frustration when I get these letters from my constituents, and I hope my colleagues are paying attention and the people at the White House are paying attention, because instead of printing more money and throwing more money and putting more government control in charge of everything, we ought to be giving the American people the right to have some of their money back so they can expand this economy, because government sure isn't doing it.

JUNE 3, 2008.

Congressman DAN BURTON,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN BURTON: My husband, David Dorais, and I are the owners and operators of Dorais Chevrolet in Wabash, Indiana. This business was started over 60 years ago by my husband's grandfather, Gus Dorais. Gus Dorais was the first All American in football from Notre Dame University. He came to Wabash, Indiana from Detroit. He began a Chevrolet dealership operating under the philosophy of ''give back to the community that has given so much to you''. This is the philosophy we have strived to operate under.

We have always been extremely loyal to General Motors and to our community. Small business is what helped to build this great country of ours and loyalty is what makes all of us successful. We have always given back whenever asked, often times without being asked. We have always paid taxes. We have always voted. We have always made contributions. We have always participated in the programs that General Motors asked us to participate in. We have even participated in extra programs that General Motors did not request, such as an advertisement group. My husband served as an officer in this group for years. We employ many people, who also help to keep our community alive. We pay our employees a fair and honest wage and we provide insurance to them. We feel we have done everything that an American citizen should do. We have been voted Small Business of the Year in our community, the only auto dealer to receive this award.

May 15th, 2009 we received a letter from General Motors that stated they will not be renewing our contract with them. Our American Dream became our American Nightmare. The Automotive Task Force (none of which drive American cars) handed down their decree. We are now no longer to be a part of the ''New General Motors''. We are no longer ''good enough'', even though we are a part of the faction that helped to support them for years. Yesterday I listened to the attorney representing auto dealers speak. He is the first person I have heard make any sense in this mess. He asked, where are your elected representatives? Where are the elected officials that you donated to? Where are the elected officials that you voted for? He further added that these people never hesitated to ask for your help, but where are they now. The most important question asked was, ''Why are you allowing them to turn their backs on you?

These are the people that wanted your support to put them in their present position. It is a position that is to help the people. Where are they and why are you not furious that they are turning their backs on you''. It did give me reason to think. Politicians run on the premise of helping the people. Yet, when you are actually needed, where are you? Has a political office simply become a place to sit and receive a check? Are campaign promises simply empty words used to become elected. During the last election it was all about the Middle Class, all about small business, it was all about keeping business alive, it was all about keeping people employed. What happened? Was it all simply political rhetoric, business as usual.

As previously stated, we are a small business. We do believe in helping and giving back. We believe in helping and supporting those around us. We have even managed to keep doing this in these difficult economic times. We are a small business in Wabash, Indiana that does give back in every way possible. We are a small business in which the owners do not take huge paychecks in order to give back to a community that we are loyal to. We received the Small Business Award because of our loyalty. It is our hope that this is not a word that has been forgotten in government. No, we are not as profitable as we once were. Yet these are difficult times and they will pass. Given the opportunity, we will again be profitable—even more profitable than in the past. It is our hope that you will look at this Small Business of the Year in Wabash, Indiana. Look at the contributions we make to the people who live here. It is our hope that you have not turned your back on us.

Sincerely,

DAVID and KAY DORAIS.

MAY 27, 2009.

Representative DAN BURTON,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN BURTON. It was great to hear you and speak with you at Huntington's Lincoln Day Dinner, but we want to stress the things we said then. We do have confidence in you.

We are appalled by what is happening in Washington. Now in our eighties, we have seen many administrations. None has been as frightening as this one. In less than six months President Obama and his team have drawn the U.S. Government deep into private business. The government's business is governing not business.

There is no doubt the President and his team have taken us far on the road to socialism, so far that we fear there may be no return. Their spending is out of this world and it's not what will save the economy. In the long run bailouts don't work.

The health care issue, the credit card issue, the card check issue and more are taking us far from free enterprise, and are causing many citizens to give up self-reliance and responsibility in favor of relying on the

government. There is little incentive for talented people to innovate, work hard and create business. What a terrible lesson!!

We pray you fight this movement!!

At the same time, we pray you will support keeping the United States safe in every way you can.

Sincerely,

EMMALINE P. HENN.

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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.)

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

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

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

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

THE HEALTH CARE BILL'S PUBLIC OPTION WILL DENY THE AMERICAN PEOPLE CHOICES

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

Mr. BROUN of Georgia. Mr. Speaker, I came to talk about the health care problems here in America. I'm a medical doctor. I have practiced medicine for three-and-a-half decades. I'm an old-time general practitioner. I treat infants all the way to the elderly. My patients are like family. They're like friends. They are friends. They are family. And I'm very concerned about where we are going as a Nation.

Certainly health care in this country has become extremely expensive. In fact, I myself, prior to being elected to Congress, being a small businessman, could not afford a comprehensive health care insurance policy. I had a catastrophic health care policy because that's all I could afford. There are many small businessmen and women all across this country that are in the same category that I was in. Now, since I have been elected to Congress, I buy into the government health care insurance program that all Federal employees can buy into.

We hear from our President that everybody in this country should have a public option, an option that they can buy into. Last night my good friend JOHN SHADEGG in a Special Order was talking about the draft of the bill that Energy and Commerce is going to be looking at next week. And during Mr. SHADEGG's discussion last night on this floor, he said that the public health care option is not an option at all. And, in fact, the American people, if I could speak to them, Mr. Speaker, I would ask them to look at what is being proposed and how quickly this major policy change is being brought to the forefront.

Next week on Tuesday, the Energy and Commerce Committee is going to start their process of looking at the health care reform bill. Tuesday they are scheduled to have opening statements by the members of the committee. Wednesday and Thursday they're going to have markup. And, Mr. Speaker, I don't think the American public quite understands that term. It's a term that we use, as you know, where the committee goes through a bill line by line, issue by issue, section by section, and amendments are offered, voted on, and are put in place in the final product.

Well, the chairman of the Energy and Commerce Committee has decided to not go through the regular order process of letting the Health Subcommittee look at the bill. He wants the whole committee to do so. Why? Well, it's reported that the reason that he wants to do that is because he's concerned about the subcommittee's taking too much time and maybe not even passing out this bill.

The majority, Mr. Speaker, it seems to me, is trying to force this down the throats of the American people in a very expeditious manner. Why would they want to do that? Well, I think the American people, if they knew what was going on, Mr. Speaker, would understand that this major policy change is being hastened through the legislative process so that it can be put in place so that the American people don't have the light of day shed upon this bill so that the American people can say anything about it.

Over and over again, Mr. Speaker, in this House with these appropriation bills, we have seen a change, an historical change, of how regular order is carried out. Normally an appropriations bill is brought to the floor with an open rule. Both sides agree on amendments that are introduced. Both sides agree on time limits, and we can go through a regular order. But the majority has declined to allow that to happen. Even leadership, some of the leadership on the other side, reportedly, would like to do so. But the Speaker and the chairman are declining to allow that to happen.

So we're getting bill after bill presented to the floor that nobody has had the opportunity to read. The public can't read it. The Members of Congress can't read it.

We've had thousand-page bills, such as the nonstimulus bill that was presented by the President and was introduced in the dead of night, and we voted on it on this floor where no human being anywhere had had the opportunity to read that bill. No one, Mr. Speaker, had the opportunity to read that bill. It was 1,100 pages. Our leader, Mr. BOEHNER, had that large stack of paper and dropped it on the floor. No one had the opportunity to read that bill.

We don't have a health care bill. I have not seen it. No member of the Energy and Commerce Committee has seen it on either side, Democrat or Republican, because it has not been produced. Though Tuesday morning they're going to start opening statements on that bill.

We here in Congress have not seen the bill. We here in Congress have no way to evaluate the bill. We here in Congress have no way to understand what the bill says in totality and how we can introduce amendments to the bill to make it better. Democrats and Republicans alike are being denied their opportunity to allow amendments to all these appropriations bills and to a lot of the authorization bills, such as the tax-and-cap bill, which is going to be a disaster economically for America. This process is blatantly unfair. It's unfair to Democrats. It's unfair to Republicans. But most of all, it's unfair to the American people. The American people should demand better.

Our Speaker, when she came to office in the prior Congress, said we're going to have a new era of openness and honesty, high ethics, transparency. Nothing could be further from the truth. That's what went on in the last Congress and is particularly going on in this Congress. And we are having this health care reform bill being put together by just a small handful of the committee leadership and the leadership of this House, Democrats. The medical doctors, health care professionals, at least on our side, aren't even being consulted. We have, I'm not sure, 10 or 11 of us on our side. Not the first one of us has been consulted about what my patients and all of our patients need in health care reform.

We are being shut out of the process, and that's not fair to the American people, Mr. Speaker. The American people should demand more. They should demand openness. They should demand transparency.

We've had resolutions where we wanted to have at least 72 hours of every bill being posted on the Internet

so that the American people could look at those bills. The American people have been denied that opportunity by the leadership of this House and of the U.S. Senate. It's not fair. It's not fair to the American people.

We are having a major change in health care policy being shoved down the throats of the American people, Mr. Speaker. The American people need to rise up and say ''no'' to this cloaked-in-darkness process, where members of the public across this country should be able to take their reading glasses and put them on and read the bill, where Members of Congress should be able to take their reading glasses and put them on and look and see what's being proposed by the majority. The minority is being totally shut out of this process.

Now, we do know some things that are in the bill. And the American people need to understand what the ramifications of those things that are in the bill that we know about are all about.

The first thing, we hear all the time by the majority, we heard it during Special Orders, we've heard it during the 1 minutes this morning, we hear it over and over again in all the debate and discussion going around here in the House, about people need to have a public option. Well, the American people need to understand, Mr. Speaker, that that public option is going to deny them choices. It's going to put a bureaucrat, a Washington bureaucrat, between them and their doctor. And that Washington bureaucrat is going to make their health care decisions for them about what tests they can have, what medicines they can have, whether they can have surgery or not. And what it's going to do is it's going to shift people, as Mr. SHADEGG was saying last night, over the next 5 years off their employer-based health care insurance over to a single-party payer government insurance.

We are told if people like their health insurance, fine, keep it. And most American people will say, yes, that's right, I like my American insurance policy that I have today. I don't like the insurance companies. I don't like the costs. But I'm satisfied with my insurance.

But, Mr. Speaker, if I could speak to each individual in America today, I'd warn them that, Mr. and Mrs. America, you're not going to be able to keep your private insurance. You're going to be forced into a government-run, socialistic medicine health care system where some Washington bureaucrat is going to tell you whether you can go to the hospital or not, whether you can get an MRI or not, whether you can have the new treatments for cancer or hypertension or diabetes. It's going to destroy the health care system that we know today.

We have the finest health care system in the world. That's the reason people from Canada come to America to get their health care, even when they could buy the private health care in their own country. But they come to the United States. People in Great Britain come to the United States. Even if they can afford to go through the private sector in the United Kingdom, they come here because we have the finest health care system in the world.

But, Mr. Speaker, if I could tell the people in America, if I was allowed to through the rules of the House, I would tell them that that health care system that you're enjoying today, the quality of health care, the medications, the treatments, the tests, surgeries, and all of the things that make us have the highest quality of health care in the world, is going to be destroyed by this bill that's going to be started through the legislative process next week.

□ 1500

I have been joined in this hour by a physician colleague from Tennessee, Dr. ROE, who has tremendous experience with TennCare in his home State of Tennessee. I welcome him to join us today, and I ask the doctor, I yield to the doctor to give us some insights about TennCare and what it produced in Tennessee and about the cost and quality and how things were affected there and whatever the gentleman wants to inform the Speaker.

Dr. ROE, if you could speak to the American people. I know you would like to speak to them, but you have to speak to the Speaker and me.

I yield to the gentleman from Tennessee.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

Madam Speaker, I think when you are looking at health care, and I practiced medicine in the State of Tennessee for over 30 years in an OB/GYN practice, delivered a lot of babies. And I can tell you, having watched this very complex system, it's unfair to the American people. We are not talking about Democrats or Republicans. We are talking about the American people here who are going to be affected, all 300 million of us are.

And when we look at the issues out there that we are dealing with, first of all, there isn't any American that doesn't want to have quality, affordable health care for all of our citizens. I don't think any of us in this body, all 435 of us want that. It's how do we get there and how do we afford it when we do get there and not break the bank.

We have, if you read various publications, around 47 million people in America who are uninsured. And of that 47 people who are uninsured, approximately 10 million, these are estimates, but are approximately 10 million are illegal in this country.

Of the remaining 35 to 37 million, we have about 12 to 14 million who currently qualify for plans that are out there, SCHIP or Medicaid, but who are not on it. So we need to find out who these individuals are and make those assets available for them.

About 9 million people make over $75,000 a year and choose not to buy health insurance. Now, in my part of the world, in the First District of Tennessee, that's a lot of money, and I assume in a lot of places in Georgia and other places around this country that's a lot of money. We have about 8 million people who make between $50,000 and $70,000 a year who are uninsured. And certainly for those, if there are families, there are ways, very inexpensive ways to make sure affordable health care is available to them.

When I first heard—when I first came to D.C., I heard the argument of the President's plan, and it turns out, I don't think the President had a plan. But the plan that was coming out of the House of Representatives is that we are going to have private health insurance and we are going to have a competitive government-sponsored plan. And I said, What exactly is that supposed to do? And they told me, and I said, Wait a minute. 16 years ago, we did this plan in Tennessee. It was called TennCare. We got a waiver from Medicaid, HHS, to provide health care for as many citizens in the State as we could. And as you know, Tennessee is not a wealthy State. We have a much lower than average per capita income in the country. So it was a noble goal. And it was the government, the managed care plans, put a very rich plan together; in other words, it was very generous in benefits.

And what happened was almost 50 percent, 45-plus percent of the people who got on TennCare had private health insurance. And what we found, and for them it was fine. I mean, they had a plan that paid the coverage, paid to see a doctor. The problem with it was it didn't pay the cost. And when I started asking, digging into this plan, I said, How much of the cost of the providers—I am speaking of hospital outpatient surgery centers. What percent of cost does this plan pay? It paid 60 percent. Medicare, another government-run plan, pays about 90 percent of costs.

So what happened was you had costs shifted to the private insurers. And these private insurers—that would be the other businesses in Tennessee—their costs went up and up and up when they tried to buy health insurance. So more and more people were dumped into the plan because businesses couldn't afford it.

How did the State of Tennessee handle this?

Mr. BROUN of Georgia. I want to make that crystal clear. Businesses could not afford to continue paying for the private insurance, and so people went from private insurance, and they were being forced over to the government plan; is that correct?

Mr. ROE of Tennessee. Exactly. They made a perfectly logical decision. It was cheaper to go into the subsidized government plan than it was for businesses that were struggling to survive anyway.

And when you add this extra cost, they dropped that cost onto the public

plan. Well, what happened was the State couldn't even afford even paying 60 percent of the cost of the care. There were so many people on it, the health care part was getting more than all the education and the other things that the State was providing.

So our Governor, who is a Democrat in the State of Tennessee, and a Republican legislature, they had to cut the rolls. You only have two choices: You can either cut the rolls or you can ration care. So I predict to you, Dr. BROUN and Madam Speaker, that when this public option comes out there, that it will be exactly like that. It will be a very generous plan subsidized by the taxpayers and supported by that. And businesses, especially small businesses first—the ones who provide most of the jobs in this country are small businesses, and you want to make it easier for them to provide the benefit, not more difficult—they will drop that. And over time, this will morph into a single-payer system.

Now, some people, Madam Speaker, would say, Is that a bad idea or a good idea? I think some people would be happy with the single-payer system. I believe health care decisions should be made between patients, their families, and their doctors. And you don't need a bureaucrat, no pun intended, injecting himself into this very important decision, in health care decisions. That's what will happen.

In this plan in England, they have a comparative effectiveness, as you well know, called NICE. And what an acronym for NICE, and let me explain that to the viewers out there. What happens in a public system where it's funded by a single payer—for instance, the taxpayer, in England the government—a board or committee is put together by the government to evaluate the outcomes of certain treatments.

Well, they have, for instance, if they estimate in England that you are in your last 6 months of life—and a cancer, for instance, a cancer treatment, they might invest as much as $22,000 in you, about what a used Honda would be.

Well, I don't think the American people, I know the American people, I know the American people in my district, Madam Speaker, in your District, are not ready to let the government decide that your life and your family's life is worth that. So that is sort of, in a nutshell, where we were or are in Tennessee dealing with this.

There are a lot of other options out there. I think these mandates for, in this particular legislation which we haven't seen other than just a synopsis of it, we haven't seen the full legislation. And, of course, the devil is always in the details.

So I want to sit here and look at the American people and tell them that the Doctors Caucus, the conservatives in this House, I think both the Republicans and the Democrats, want to be sure that the patient and the doctor are making those very important health care decisions and not the Federal Government.

Mr. BROUN of Georgia. I wanted to bring out a point. I have got an article here that came from Capitalism Magazine. The title of the article is ''Health Care to Die for in Britain'' by Ralph Reiland, from February 6, 2005. I just want to read a couple of points that Mr. Reiland makes in this article.

He says, ''Among women with breast cancer, for example, there's a 46 percent chance of dying from it in Britain, versus a 25 percent chance in the United States. 'Britain has one of the worst survival rates in the advanced world,' writes Bartholomew, 'and America has the best.' ''

He is quoting an issue in the Spectator Magazine, the British magazine, where James Bartholomew was talking about the British health care system.

The point of that, and the American people, I hope, will understand as we look at this, their single-payer system—now, in Great Britain, if you are extremely wealthy, you have to be extremely wealthy, you can buy private health insurance. And we have seen a lot of those people who are extremely wealthy actually come to the United States for their health care.

But unless you are extremely, extremely wealthy and you are in that single-payer system—and that's where we are headed, in my belief, in the United States—you have almost a half chance, and that's in a 5-year survival rate in Great Britain, of dying, where actually it's less than 25 percent today in America.

I think you have quoted some statistics on breast cancer. Do you have those at hand that you could give?

Mr. ROE of Tennessee. I do. When I began my medical practice, we had the same survival statistics that they did, 50 percent 30 years ago. In stage 1 disease now in America now it's as high as 98 percent 5-year survival. So when the patient comes to us, Dr. BROUN and Madam Speaker, and they say, Dr. ROE, what are my chances of living? I am go going to look at that patient, I am going to look at her and say, It may be tough, you may have some down days, you probably will, but you are going to make it. You are going to be okay.

And we can provide that kind of hope in this country for our patients. I look at St. Jude's Children's Research Hospital in Memphis where I was a medical student, and when I first went there, 80 percent of children died of childhood leukemias and cancers. Today, over 80 percent live.

I had one of the greatest evenings this last Monday night of a young boy I had delivered 16 years ago, and 2½ years ago his mother called me and said, Dr. ROE, I am afraid my son has cancer. And we were there for that 16th birthday to celebrate. He is cancer free, and that is a wonderful, wonderful thing to celebrate. And my joy goes out to that family and that community. The whole community celebrated. And that's the kinds of things we have seen, I think, in America, with our health care system.

And I think back, Dr. BROUN and Madam Speaker, when I began my medical practice, we had only five high blood pressure medicines. Three of them made you sicker than high blood pressure did. Today, over 50. Antibiotics, there was one type of cephalosporin antibiotic. Today, over 50.

We have all of the new robotic surgeries, laparoscopic surgeries that I was able to do and privileged to do in this Nation and provide everyone. I was at a business meeting not long ago, a year or so ago, and they said the health care system, certainly there are excesses, we need to do a better job of managing the system. They said, You need to run this like Southwest Airlines. I said—well, I was in Washington when I was told that. And I said, I will tell you what we will do. We will go over to Reagan National and we will pick a guy up who lives under the bridge there, a homeless person, and we will show up at Southwest Airlines. And I will go in my pocket, and I will pull my credit card out and I will say, here, I want to fly and the guy with me can fly, but the man that has no money can't.

And in America, if we all three get in there and go back to George Washington University's emergency room, day or night, 24 hours a day, 7 days a week, regardless of your ability to pay, in America we will take care of you. Now is that the best way to do it, and I would argue it is not. And that's what this debate should be about is how we better use those resources.

Mr. BROUN of Georgia. Let's make this perfectly clear for Madam Speaker and for the American public. You just made a statement that I want to focus upon. You say somebody could go to the emergency room, and it's really an emergency room in the United States, and they will get health care provided to them; is that correct?

Mr. ROE of Tennessee. That is correct.

Mr. BROUN of Georgia. And there is a Federal law actually called EMTALA, the Emergency Medical Treatment and Labor Act, that requires emergency rooms to evaluate and essentially treat everybody who walks in the door, whether they can pay or not, whether they are here legally or not or any other way; is that correct?

Mr. ROE of Tennessee. That is correct.

Mr. BROUN of Georgia. And then the point I keep hearing, particularly from those on the other side that want this socialized medicine program, this Washington-based, Washington bureaucratic administered health care system, that everybody needs access to health care.

But you just made a statement that the American people need to understand, and, Madam Speaker, I hope that they will understand. Everybody

in this country has access to health care by walking into an emergency room.

And the question is, really, where people are going to get their health care provided to them, who is going to pay for it and what cost. Is that correct?

Mr. ROE of Tennessee. Yes. I know that only you can show up at an emergency at any time, but the only hospital that I have had patients denied care because of some bureaucratic snafu, they didn't qualify, was a government hospital, the VA. I have never had a patient refused care that I have taken care of if I said this patient has to be in the hospital. Our problem is not the quality of the care; it's figuring out a system to best pay for it. That's what we are dealing with here. And we are not going to wrap this up and be fair to the American people in 2 weeks.

□ 1515

It's too complicated. I was speaking with a friend of mine this Monday in Kingsport, Tennessee, Dr. Jerry Miller, and he and I were in a very detailed discussion about how complex when you're looking at home health care, oxygen infusion, devices, occupational therapy, physical therapy. All of that goes with increasing and improving the quality of your life. That's what we're dealing with, an incredibly complex system. And I don't believe that the government can best run this system. I think that the private sector is much more equipped to deal with new technologies.

I'll give you an example. I think if we were waiting on the government to develop a da Vinci robot, you wouldn't be having your da Vinci robotic surgery right now.

We see radical prostatectomies for prostate cancer that now are done in a couple of hours or less with very minimal blood loss. I mean, before radical prostatectomies, it was several hundred cc's of blood. Now it may be 75 or a 100 cc's. Minimal blood loss. Patients are leaving the hospital in a day or two and resuming normal activities incredibly fast.

Mr. BROUN of Georgia. Would the gentleman yield?

Mr. ROE of Tennessee. Yes.

Mr. BROUN of Georgia. I want to interject here just a moment. With the current technology we have on that radical prostatectomy, as we call it in medicine—taking the prostate out, all the prostate out—in the past, when we did it with the nonrobotic surgery, the chances of that gentleman having to wear a condom catheter because they cannot control the urine and they just have a constant leakage of urine out of their bladder was very high compared to today.

Their chances, if they're a young man, of having impotence prior to that—in other words, they cannot perform sexually—was a pretty good chance that they were going to have problems with that. But with the robotic surgery, the incidence of impotency, the incidence of incontinence, which is where the urine leaks out, is very low.

It's because of that technology that the development of that technology is going to come to a screeching halt, I believe. Would you agree with that?

Mr. ROE of Tennessee. I would agree with that. I think the biggest problem you have when you don't have enough resources in the system to develop new medications and new technologies, new treatments, new pieces of equipment, there's no question that you freeze in time where you are.

I recall it wasn't a day that I would go to the operating room that I wouldn't see somebody back in the seventies getting operated on for an ulcer, bleeding ulcer. It's almost unheard of now because of medical treatments and other endoscopic treatment. You have almost eliminated that very invasive surgery. We certainly don't want this to slow down.

One of the things that I think we value in America—I know we do—is we value every human life. Every life has great value here. And that's one of the things that I've seen in my practice. Whether you are rich or you are poor, you are valuable to the American people and to the health care system. And we're going to take care of you.

Dr. BROUN, Madam Speaker, one of the things that's an untold problem in the health care system is the availability of care—the accessibility of it, I should say. In the next 10 years, 50 percent of our registered nurses are able to retire. Fifty percent. We need a million more nurses by 2016. That's only 7 years from now.

So we need to be encouraging young people to go into these very needed specialties in medicine and as physicians. We're already behind the curve. In the next 10 years we will have more physicians retiring or dying than we're producing in this country. And the population is growing and the baby boomers are going to need more care. And guess what we're doing? We're living longer than we've ever lived in the history of the world.

So we have a multiprong problem. It's not just that; it's do we have access. Am I going to be able to find a nurse and a doctor to take care of me.

I yield to the gentleman.

Mr. BROUN of Georgia. Well, you're exactly right, Dr. ROE. We have a critical shortage today of medical care personnel, nurses and doctors, as you're saying. In fact, my alma mater, the Medical College of Georgia in Augusta, is starting to develop some satellite campuses to try to train more physicians in the State of Georgia.

In fact, one is going to be opening within the next 2 years in Athens, Georgia, where the University of Georgia is, near where I live. I live outside of Athens in Watkinsville.

But we still are going to be behind even with this new training. But what I have seen, and I think Dr. ROE will probably corroborate this, is that we have seen doctors stop taking Medicaid, stop taking Medicare because of the poor reimbursement rates. And if we go to this supposedly two systems of one private and one public, as has been projected by the leadership and many people on the other side, what is going to happen is that you're going to have, because of the very poor reimbursements rates, you're going to have hospitals fail; you're going to have doctors not take those patients on the public plan. So that in itself is going to take choices away. Plus, you're going to have a Washington bureaucrat telling the patient what medicines that they can have.

You mentioned, Dr. ROE, just a moment ago about all the cephalosporins, one of the powerful antibiotics. When you and I came along—we were almost contemporaries in medical school, though you went to Tennessee and I went to the Medical College of Georgia—we had antibiotics that were very limited.

We have got bacteria today—in fact, a patient that's very close to me personally has pseudomonas pneumonia. When I went to medical school, that patient would have died within a matter of weeks. She now has a PIC line. She's gotten IV antibiotics over and over again. That's not going to be available to her in this new public-option plan, this government-run plan, and she's just going to die. She's 85 years old. And she's going to die. She's had this pneumonia for about 6 months now. And she's still living. When I was in medical school, she would have died within a matter of days.

Life is precious. Some would say, Well, she's 85 years of age; we should just let her die. And that's exactly what's going on in Canada and Great Britain today. They don't have the appreciation of life as we do in our society, evidently.

Dr. ROE, a lot of people are going to die. This program, government option that's being touted as being this panacea, the savior of allowing people to have quality health care at an affordable price, is going to kill people.

Mr. ROE of Tennessee. Will the gentleman yield?

Mr. BROUN of Georgia. Yes, sir.

Mr. ROE of Tennessee. I think, Madam Speaker, what we need to do is look at the problem we're faced with. What are people concerned with? Well, affordability. Certainly, we've got to deal with this.

Number two is accessibility. We have talked about that somewhat. Thirdly, when we have a job, our health insurance is tied to our job. So we're concerned if I lose my employment, I lose my job.

Do you need an entire government takeover of medicine to address those issues? No, you don't. When you look at portability, that's certainly one thing that I think can be done with very minimal government involvement.

I will give you another quick example. Many of us have children. And today is a very poor work environment. So when you see young people come out of college or out of high school today, it's very difficult for them in this market to find a job.

But guess what happens to them when they graduate from East Tennessee State University or the University of Georgia, wherever, and there's no job available? They lose their health insurance coverage. Why not just leave them on their parents' plan until they're 25 years old? It wouldn't cost the government a nickel.

Do you know how many people that would cover, estimated, in this country? Seven million young people. And I know for all three of my children, when they got out of school, they all needed help with their health insurance coverage. I had to go out and buy a private health insurance plan, which was not tax deductible.

Another example I'll give you is myself. Last year, when I worked in my medical practice, I provided health benefits. That was one of the benefits we have for our employees and for me. I retired from my medical practice to run for Congress. The next day, my health premiums went up 33 percent because they were no longer deductible.

That's not expensive for the government to do. Simply allow individuals out there who want to purchase their own private health insurance plan—if you're a farmer or small business person, let them deduct that exactly like GE does, or any other large business

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. ROE of Tennessee. Yes.

Mr. BROUN of Georgia. You made a great point there. The vast majority of employees in this country are employees of small businesses. The small businesses are having a hard time paying these high premiums. And so if we could just have some tax changes to allow deductibility for the individual or for the small business, which is not in law today—it's only the large businesses that can deduct and not pay taxes on that benefit to their employees or the employee not have to pay tax on that benefit. It's only applicable to large businesses.

Most people who are employed, most of the uninsured in this country who have a hard time affording it, most small businesses who have a hard time affording to pay for health insurance for their employees are in that situation because it's not deductible. And if we made some tax changes to make it deductible for everybody for their health premium, that in itself would take care of a lot of those people that you were talking about earlier who are not insured today?

Mr. ROE of Tennessee. Will the gentleman yield?

Mr. BROUN of Georgia. Yes, sir.

Mr. ROE of Tennessee. I would like to know the logic. I haven't had anyone yet since I've been in this body give me the logic of why a corporation with multiple assets is allowed to take a—let's say a small businessman. Let's take someone who is in a small landscaping business, who takes care of my yard—I should be mowing it myself—but who takes care of my yard.

Why shouldn't he be able to deduct as an individual employer—he's just got himself, is all he works for—why can't he deduct his health insurance just like General Motors does? I've never had anyone yet explain to me. You could help a tremendous number of people in this country if we did that simple thing.

I yield back.

Mr. BROUN of Georgia. Well, I thank the gentleman for yielding. You're exactly right. I hear the majority Members over and over again, many Members of the Democratic side talk about the Republican Party as the Party of No, N-O, because we say ''no'' to this energy tax, ''no''—they're going to accuse us of being the Party of No on this health care reform bill that they're going to shove down our throats—down the American people's throats, this socialistic, Washington government-based, Washington bureaucratic-run health care system. They're going to accuse of us being the Party of No, N-O.

But I submit that the Republican Party is the Party of Know, K-N-O-W, because just that one point, if we would make that one tax change, it would pull into the insurance pool privately administered, no cost to the taxpayer, no cost to our children and grandchildren. It would not increase the deficit. Bring in that one thing of a tax policy change and it would ensure on a private basis a lot of those people who are uninsured today.

Mr. ROE of Tennessee. Would the gentleman yield?

Mr. BROUN of Georgia. Yes, sir.

Mr. ROE of Tennessee. I would argue that would even do more than that, because it would do just the opposite of what the public plan will do. What it will do is, if you make that available where the uninsured can afford it to this tax break, it will make less people uninsured and therefore less cost-shifting to the people who already have health insurance.

I would argue it would do exactly the opposite. I bet you if we try, it will work immediately.

The challenge we have in a down economy, there's no question, is when people lose their job, they lose their health insurance. And it can't be COBRA. As you all know, Bill Gates can't afford COBRA, it's so expensive.

We have to have a plan that is affordable for people when they're unemployed. That's a real challenge, there's no question.

I yield back.

Mr. BROUN of Georgia. I thank Dr. ROE for yielding back. In fact, I'm developing a bill in my office right now that will give patients the ownership of their health insurance, whether they buy it themselves or whether it's paid for by their company. If the patient owns the health insurance, that will stop that portability problem because the patient owns it; and if they leave one job and go to another, they take the insurance with them. That's what I'm talking about. We as Republicans are the Party of Know because we know how to make insurance portable.

We have numerous Members over on our Republican side that are putting together proposals that the American people will never see. Why? Because the leadership of this House will not allow the American people to see my bill or your bill, Mr. SHADEGG's bill, Mr. RYAN's bill, the Health Working Group of the Republican conference.

Bill after bill are being proposed to be introduced that will never see the light of day. The American people won't see it, the Members of this House won't see it, Members of Congress in either House won't see those. Why? Because the leadership of this House is forcing in a dictatorial manner their health care bill that's going to destroy the quality of health care.

□ 1530

Mr. ROE of Tennessee. I am going to make an impassioned plea to the American people. A week ago we saw a cap-and-trade tax here that was brought before this House, not thoroughly vetted, a very, very important issue, and not read. Let me say this again—and I get angry when I think about this, something that affects every single American. Not one Congressman of the 219 that voted for that ever read the bill, and it will affect every American. I want to challenge this body right here and now not to bring a bill here in 2 weeks which no one has read, which affects the most precious decision, the care of you and your family and your children, and you haven't even read it. The American people need to know every dot and T in that bill before we have the audacity to pass that bill on to the U.S. Senate.

I yield back.

Mr. BROUN of Georgia. Dr. ROE, I agree with you wholeheartedly. The American people need to demand that the bill be presented to the American people so that they can understand how it's going to affect them because it's going to affect every single person. There's a lot of people who work for big companies that say, Well, I've got good insurance through my employer, and I like it. Well, they need to understand that they're not going to be able to keep it because in 5 years, whether they are in a big multinational corporation that's paying for their health insurance today, they're going to be forced out of that into their single-payer government program where that Washington bureaucrat is going to be making their health care decisions. That's the first thing. Secondly, it's going to be extremely expensive for everybody. Government intrusion into

the health care system is what's driving up the cost. Dr. ROE and Madam Speaker, let me give you a good example that happened in my own medical practice of how government intrusion has affected the cost of insurance and health care across the country, whether it's government-paid health insurance, such as Medicare, Medicaid or SCHIP, or whether it's private insurance.

I was practicing in a one-man office. I had three employees down in Americus, Georgia, and I had a small automated lab in my office. If a patient came in to see me, a doctor, and they had a red sore throat, they might have white patches on their throat, they were running a fever, coughing, and aching all over, maybe their nose is running, maybe they're coughing up some stuff, I, as a physician, knew that they may have a bacterial infection or they may have a viral infection or they may even have allergies. An allergy can actually show those same symptom complexes. I was taught in medical school not to abuse antibiotics because the overprescription of antibiotics causes a whole lot of problems for patients and causes a whole lot of increased cost. Well, Congress passed a bill called CLIA, the Clinical Laboratory Improvement Act, which basically shut down my small automated lab that had quality control. I wanted to make sure that whenever I ran a test that I had good, proper results. Well, Congress passed a bill, the Clinical Laboratory Improvement Act, CLIA, that shut down my lab; and if a patient came in with a red sore throat, coughing or aching all over, I would do a CBC, a complete blood count, to find out if they had a bacterial infection and, thus, needed antibiotics or had a viral infection and did not need the expense or the exposure to those antibiotics. I charged $12 for that CBC. CLIA shut down my lab. I had to send patients over to the hospital. So they had to drive from an office over there. It took an hour or two to do all the paperwork to get into the hospital and have their blood drawn. Then they'd come back to my office and sit and wait, frequently for several hours before I got the results of the test back. But I was charging $12 for that test, CBC. It took 5 minutes to do. It is a good quality control test, proper results, $12, 5 minutes. The hospital charged $75, and it took 2 to 3 hours. You take that one test. It jumped from $12 to $75 for one test. What does that do to costs for insurance across this country? It markedly increases the cost of everybody's insurance and makes it less affordable for everybody. HIPAA—let me bring another critter out. I call CLIA and HIPAA and all these things critters. I tell my constituents in the 10th Congressional District of Georgia that if they see these congressionally creative critters, HIPAA, CLIA and all those other acronyms, that they'd better hold onto their wallets because it's going to take a big bite out of their wallets. Well, the Health Insurance Portability and Accountability Act, HIPAA, was passed, and it's cost the health care system billions of dollars and has not paid for the first aspirin to treat the headaches it's created. It's totally unneeded legislation. So government intrusion into the health care system has created this mess of unaffordability, and the more government intrusion we get into the health care system, the less affordable it's going to be.

I will yield.

Mr. ROE of Tennessee. Just to amplify what you've said. Madam Speaker, years ago we had a test in our office, which we did about 10,000 of them a year. We contacted a local pathologist and said, We'd like to pay $10 for this test; and they said, Well it's $100,000 of income. We'll be glad to. Well, we couldn't do that because—guess what—it was $5 less than what Medicare paid. So we had to charge all of our patients $15 for this test. So that one little office, that one test ended up costing our patients another $50,000 in one medical practice in little old Johnson City, Tennessee. Now I've seen that already. You can amplify that across the country, and you can imagine the billions of dollars that are being wasted because of a lack of competition in the health care system.

I yield back.

Mr. BROUN of Georgia. Well, I thank the gentleman for bringing that test up. It's just a good example of how government intrusion in the system creates higher costs for everybody, whether it's a privately insured plan that a patient has or whether it is the government-insured plan that the patient has, government involvement creates higher costs. And we know, at least on our side, that we have some solutions. We can literally lower the cost of health care if we change health care tax policy and make it deductible for everybody, if we allowed the patients to have some input into how health care decisions are made. In the plan that I'm developing in our office, we have a plan that would make patients be in charge, whether they're government insured or not. We create a marked expansion of health savings accounts. We need to have health savings accounts for Medicare patients where the Medicare patients and the Medicaid patients control that health savings account. It seems as if some in this body have decided it's a God-given right for people to own health insurance. Maybe it is. I don't know. I don't find it in the Constitution of the United States. And we haven't had that until Medicare came along and then Medicaid, where government intrusion in the health care system really has created this boondoggle that we have today. But government intrusion already is rationing care for my patients and yours. It's already causing problems for patients to find providers that will accept their insurance. It's already causing the high cost. It's already causing rationing of care. And to go down this road that's going to create a bigger government intrusion, which is going to destroy the quality of care, stop innovation, it's going to stop all of these life-saving drugs and treatment modalities that we see in the health care industry today, it's going to stop all of that because of that cost effectiveness that the gentleman from Tennessee was talking about.

I will yield.

Mr. ROE of Tennessee. I think the thing that I want the American people to understand is that for 30-something years I have had to look at patients, some who had health insurance and some who we had to try to figure out, How do we get this patient care? And that is certainly a patient we want to find out. We're the ones who go to the emergency room at 3 o'clock in the morning and treat a sick child or see a youngster who has a fractured arm or whatever. We're the ones who provide this and go out there along with the other health care providers. We want a way for that system to flourish as efficiently and as cost effectively as we can. And we can do this. We have solutions out there. The solution is not the government running your health care. That will be a problem. It will be a problem as far as innovation is concerned, as you've pointed out. It will be a problem as far as access is concerned. Access is already a major problem that we have to address.

I want to tell the American people—I want you to be engaged in this, learn about this. Call us. Tell us what you think. One of the last patients that I saw in my practice was a 60-something-year-old woman who worked, who didn't have health insurance. And quite frankly, that is a problem. She is 60 years old, just before Medicare. It's something that can be dealt with, though, without a complete takeover of the government health care system. The people had better pay attention. These next 2 weeks will be the most critical debate about health care that's occurred in the last 45 years.

I yield back.

Mr. BROUN of Georgia. I appreciate it. I want to ask the gentleman this: During my three and a half decades-plus of practicing medicine, I know in my own medical practice, and I know with colleagues that I've been associated with in Georgia, which is where I practiced medicine, that all of us have given away our services and not gotten paid. I don't resent that. I don't regret that. It's just part of what I did as a family doctor. Now under Federal law if I was accepting Medicare as a preferred provider, if somebody were to come into my office to see me—I did a full-time house call practice. I still practice medicine. I still see patients when I go home today. So I am still practicing medicine. I am actively practicing. But I don't take Medicare or Medicaid. I just see those patients and treat them. If they pay me, great. If they can't, that's great too. I don't

care. I went to medical school to serve people. I think you did the same thing, Dr. ROE. But under current Federal law, if I were a physician that was a preferred provider in the Medicare system, and I had a young man, young woman who came into my office, was working, trying to make ends meet, had a health care problem, and they just could not afford to pay my bill, literally under the laws of this country today if I told them, ''Don't worry about it. Don't worry about it. I will treat you for free,'' as I've done to literally thousands of patients, given away hundreds of thousands of dollars of my services over my career practicing medicine. If I did that to one patient in the Medicare system, if they knew about it, they could fine me for every single Medicare claim I ever made, ask for all that money back, and can put me in jail for seeing a patient for free. That's inane. It's absolutely stupid. If we change how government insurance is provided and get the Medicare, Medicaid, State Children's Health Insurance Program, all the government insurers so that the patients own the policy and the insurance is what it's supposed to be, to help those people manage their finances, to help them manage their expenses for their health care that they purchase, that they go see the doctor, go to the hospital, if we could give them the ownership and give them their rights to make those decisions, then doctors could see patients for free, if they needed to be. Doctors could make those decisions; patients could make those decisions; and that's what we want to do on our side. But those philosophies are never, ever going to come to this floor because the leadership won't allow it to happen. We can literally lower—and I think by at least a third to half of what the costs are today for medicines, health insurance, hospital bills, doctors' bills, oxygen, wheelchairs, all those things—we can lower the cost of those things if the Republicans' proposals could ever see the light of day and be passed into law.

□ 1545

I yield to the gentleman from Louisiana.

Mr. FLEMING. Madam Speaker, I think one of the things that Dr. BROUN brings out so eloquently is that it is a true privilege to do what we have done, to practice medicine and try to heal the sick and take care of those folks. That is what we want to do, to be able to continue to provide those services where patients and doctors make those decisions, not the government.

I yield back.

Mr. BROUN of Georgia. I thank the gentleman for yielding. We have just a moment or two.

Madam Speaker, if I can speak to the American public today, what I would say to the American people is that starting next week the majority is going to force this health insurance reform down the throats of the American people. It is going to adversely affect every single American. The American people should stand up and say No, we want transparency.

Madam Speaker, if I could speak to every individual across this country, I would tell the American people to get on the phone, e-mail, fax, or visit your Congressman, your U.S. Senator, and say, Let's slow this process down. Let's get it right. Let's don't hasten in this process of trying to force something down the throats of the American people in the blackness of night where people can't see what's going on. Let us see, as Americans, what you are proposing, so we can look at the bill, so we can evaluate the bill, and so that everybody's voice across this country can be heard.

The former U.S. Senator Everett Dirksen once said that when he feels the heat, he sees the light.

The American people, Madam Speaker, need to put the heat on every single Member of Congress in the U.S. House and the U.S. Senate by calling, writing, faxing, e-mailing and visiting their offices and say ''no'' to this process of not allowing people to read the bill.

The American people need to demand that this health care policy be looked at and be available for the American people to evaluate and not be forced down their throats like it is being done today.

Not only that, Madam Speaker, I invite the American people to call their family and friends and ask them to do the same thing. We have to light a grass fire of grassroots support all across this country to slow this process down. Demand transparency. Demand fairness. Demand openness. We are not getting that today, Madam Speaker. We have to demand it. The only way that is going to happen is if the American people will stand up and say ''no'' and tell their Member of Congress, particularly here in this House, between now and next Wednesday, they need to tell their Congressman to stop this process, allow fairness and allow transparency.

Let's have reform that makes sense. Republicans want that. Democrats want to have reform. But we don't need to do something that is going to break the system, destroy the quality of health care and be extremely expensive for everybody. We need to say ''no.''

OMISSION FROM THE CONGRESSIONAL RECORD OF FRIDAY, JUNE 19, 2009, AT PAGE H7082

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced her signature to enrolled bills of the Senate of the following titles:

S. 614. An Act to award a Congressional Gold Medal to the Women Airforce Service Pilots (''WASP'').

S. 615. An Act to provide additional personnel authorities for the special Inspector General for Afghanistan Reconstruction. Referred to homeland Security and Governmental Affairs.

SPECIAL ORDERS GRANTED

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

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

Ms. WOOLSEY, for 5 minutes, today.

Mr. POLIS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

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

Mr. BURTON of Indiana, for 5 minutes, July 13, 14, 15, 16 and 17.

Mr. REICHERT, for 5 minutes, today.

Mr. JONES, for 5 minutes, July 17.

Mr. POE of Texas, for 5 minutes, July 17.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1107. An act to amend title 28, United States Code, to provide for a limited 6-month period for Federal judges to opt into the Judicial Survivors' Annuities System and begin contributing toward an annuity for their spouse and dependent children upon their death, and for other purposes; to the Committee on the Judiciary.

S. 1289. An act to improve title 18 of the United States Code; to the Committee on the Judiciary.

ADJOURNMENT

Mr. BROUN of Georgia. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 48 minutes p.m.), under its previous order, the House adjourned until Monday, July 13, 2009, at 12:30 p.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

2574. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorantraniliprole; Pesticide Tolerances [EPA-HQ-OPP-2008-0770; FRL-8413-6] received June 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2575. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Triallate; Pesticide Tolerances [EPA-HQ-OPP-2008-0386; FRL-8421-2] received June 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2576. A letter from the Secretary of the Navy, Department of Defense, transmitting

notification of both an Average Procurement Unit Cost (APUC) and a Program Acquisition Unit Cost (PAUC) breach for the enclosed program, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

2577. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2008-0020] received June 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2578. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Striving Readers — received June 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

2579. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — New York: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R02-RCRA-2009-0346; FRL-8916-7] received June 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2580. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Oxides of Nitrogen Regulations, Phase II [EPA-R05-OAR-2007-1131; FRL-8921-5] received June 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2581. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Tennessee; Approval of Revisions to the Knox County Portion [EPA-R04-OAR-2008-0676-200820 (a); FRL-8903-6] received June 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2582. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Allocation of Essential Use Allowances for Calendar Year 2009 [EPA-HQ-OAR-2008-0503; FRL-8922-7] received June 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2583. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulations of Fuels and Fuel Additives: Modifications to Renewable Fuel Standard Program Requirements [EPA-HQ-OAR-2005-0161; FRL-8922-6] received June 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2584. A letter from the Deputy Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 09-31, pursuant to section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 09-31; to the Committee on Foreign Affairs.

2585. A letter from the Acting Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 09-26, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2586. A letter from the Federal Co-Chairman, Delta Regional Authority, transmitting in compliance with the Accountability for Tax Dollars Act of 2002 (ATDA), a copy of the Authority's Audited Financial Statements for FY 2008; to the Committee on Oversight and Government Reform.

2587. A letter from the President, Federal Home Loan Bank of Cincinnati, transmitting the 2008 management report and statements on system of internal controls of the Federal Home Loan Bank of Cincinnati, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2588. A letter from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, United States Agency for International Development, transmitting the Agency's report on the amount of acquisitions made from entities that manufacture the articles, materials, or supplies outside the United States in Fiscal Year 2008; to the Committee on Oversight and Government Reform.

2589. A letter from the Chief Financial Officer, Library of Congress, transmitting activities of the United States Capitol Preservation Fund for the six-month period which ended on March 31, 2009, pursuant to 40 U.S.C. 188a-3; to the Committee on House Administration.

2590. A letter from the Acting Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Required Fees for Mining Claims or Sites [LLWO3200000-L1999000.PP0000] (RIN: 1004-AE09) received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2591. A letter from the Administrator, Office of Policy Development and Research, ETA, Department of Labor, transmitting the Department's final rule — Temporary Employment of H-2A Aliens in the United States (RIN: 1205-AB55) received June 19, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2592. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting report on the Secretary of State's decision to designate an entity and its aliases as a ''foreign terrorist organization'', pursuant to Section 219 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1189); to the Committee on the Judiciary.

2593. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Civil Monetary Penalty Inflation Adjustment — received June 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2594. A letter from the Deputy, Regulations and Security Standards, Department of Homeland Security, transmitting the Department's final rule — False Statements Regarding Security Background Checks [Docket No.: TSA-2008-0011] (RIN: 1625-AA65) received June 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

2595. A letter from the Secretary of Energy, Department of Energy, transmitting the Department's report to Congress concerning the Mixed Oxide (MOX) Fuel Fabrication Facility being constructed at the Department's Savannah River Site near Aiken, South Carolina, pursuant to 50 U.S.C. 4306(A)(3); jointly to the Committees on Armed Services and Energy and Commerce.

2596. A letter from the General Counsel, Office of Compliance, transmitting the Office's biennial report entitled ''Report on Occupational Safety and Health Act Inspections'' conducted during the 110th Congress and pursuant to the Congressional Accountability Act of 1995; jointly to the Committees on Education and Labor and House Administration.

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. RAHALL: Committee on Natural Resources. H.R. 860. A bill to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes; with an amendment (Rept. 111–196). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 129. A bill to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California; with an amendment (Rept. 111–197). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1442. A bill to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909; with an amendment (Rept. 111–198). Referred to the Committee of the Whole House on the State of the union.

Mr. RAHALL: Committee on Natural Resources. H.R. 409. A bill to provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway, and for other purposes; with an amendment (Rept. 111–199). Referred to the Committee of the Whole House on the State of the union.

Mr. RAHALL: Committee on Natural Resources. H.R. 509. A bill to reauthorize the Marine Turtle Conservation Act of 2004; with an amendment (Rept. 111–200). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 2188. A bill to authorize the Secretary of the Interior, through the United States Fish and Wildlife Service, to conduct a Joint Venture Program to protect, restore, enhance, and manage migratory bird populations, their habitats, and the ecosystems they rely on, through voluntary actions on public and private lands, and for other purposes; with an amendment (Rept. 111–201). Referred to the Committee of the Whole House on the State of the Union.

Mr. SERRANO: Committee on Appropriations. H.R. 3170. A bill making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111–202). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CHAFFETZ (for himself and Mr. LYNCH):

H.R. 3167. A bill to allow mail carriers to serve in temporary enumerator positions in connection with the 2010 decennial census; to the Committee on Oversight and Government Reform.

By Mr. BLUMENAUER (for himself, Mr. WALDEN, Ms. TSONGAS, Mr. POLIS, Mr. ISSA, and Mr. MATHESON):

H.R. 3168. A bill to provide for duty-free treatment of certain recreational performance outerwear, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCALISE:

H.R. 3169. A bill to require the Secretary of the Army to carry out a study to determine

the most effective manner by which to carry out the Lake Pontchartrain flood control project, to authorize the Secretary of the Army to construct a new pumping station at Lake Pontchartrain, Louisiana, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BACA:

H.R. 3171. A bill to help stabilize and restore the economy by providing for greater access to credit for the underbanked, the unbanked, and consumers with low credit scores through the establishment of bridging bank depository institutions, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN (for herself and Mr. TANNER):

H.R. 3172. A bill to amend title XVIII of the Social Security Act to provide for advanced illness care management services for Medicare beneficiaries, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BIGGERT (for herself, Mr. EHLERS, Mr. DAVIS of Kentucky, Mrs. BONO MACK, Mr. MANZULLO, Mr. SCHOCK, Mr. DENT, Mr. SOUDER, Mr. LANCE, Mr. ROSKAM, Mr. SHIMKUS, Mrs. MILLER of Michigan, Mr. KIRK, Mr. LEE of New York, and Mr. CULBERSON):

H.R. 3173. A bill to amend section 42 of title 18, United States Code, to prohibit the importation and shipment of certain species of carp; to the Committee on the Judiciary.

By Mrs. BLACKBURN (for herself, Mrs. MYRICK, Mr. HERGER, Mr. GARY G. MILLER of California, Mr. POE of Texas, Mr. LAMBORN, Mr. ROE of Tennessee, Mr. SAM JOHNSON of Texas, Mr. ROHRABACHER, Mr. BILBRAY, Mr. MILLER of Florida, Mr. GINGREY of Georgia, Mr. GARRETT of New Jersey, Mr. HOEKSTRA, and Mr. SMITH of Texas):

H.R. 3174. A bill to provide that only certain forms of identification of individuals may be accepted by the Federal Government and by financial institutions; to the Committee on Oversight and Government Reform, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LINCOLN DIAZ-BALART of Florida:

H.R. 3175. A bill to direct the Secretary of Agriculture to convey to Miami-Dade County certain federally owned land in Florida, and for other purposes; to the Committee on Agriculture.

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

H.R. 3176. A bill to amend title XIX of the Social Security Act to require Medicaid coverage of professional medical services of optometrists; to the Committee on Energy and Commerce.

By Ms. ZOE LOFGREN of California (for herself, Mr. INGLIS, Ms. BALDWIN, Mr. BILBRAY, Mr. CALVERT, Mr. CAPUANO, Mr. CARSON of Indiana, Mr. FOSTER, Mr. GRAYSON, Mr. HOLT, Mr. HONDA, Mr. INSLEE, Mr. DANIEL E. LUNGREN of California, Mr. MCNERNEY, and Mr. OLVER):

H.R. 3177. A bill to promote the development of practical fusion energy, and for other purposes; to the Committee on Science and Technology.

By Ms. MARKEY of Colorado (for herself, Mr. LUETKEMEYER, Mr. GRAYSON, Mr. PAUL, Ms. GINNY BROWN-WAITE of Florida, Mr. BUCHANAN, Mr. BRIGHT, and Mrs. KIRKPATRICK of Arizona):

H.R. 3178. A bill to amend the Internal Revenue Code of 1986 to allow the expensing of certain real property; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 3179. A bill to amend the Emergency Economic Stabilization Act of 2008 to require the Special Inspector General for the Troubled Asset Relief Program to include the effect of the Troubled Asset Relief Program on small businesses in the oversight, audits, and reports provided by the Special Inspector General, and for other purposes; to the Committee on Financial Services.

By Mr. PERRIELLO:

H.R. 3180. A bill to establish the National Advisory Committee on Rural Education in the Department of Education; to the Committee on Education and Labor.

By Mr. SABLAN (for himself, Mr. ABERCROMBIE, Ms. BORDALLO, Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, Mr. FATTAH, Mr. GRIJALVA, Mr. HARE, Ms. HIRONO, Mr. KILDEE, Mr. GEORGE MILLER of California, Mr. PIERLUISI, Mr. POLIS, Mr. SCOTT of Virginia, Ms. TITUS, Ms. WOOLSEY, and Mr. WU):

H.R. 3181. A bill to amend the Workforce Investment Act of 1998 to permit the establishment of Jobs Corps centers in territories of the United States; to the Committee on Education and Labor.

By Mr. MCGOVERN (for himself and Mrs. EMERSON):

H. Con. Res. 164. Concurrent resolution recognizing the 40th anniversary of the Food and Nutrition Service of the Department of Agriculture; to the Committee on Agriculture.

By Mr. DELAHUNT (for himself and Mr. ROHRABACHER):

H. Res. 624. A resolution condemning all violent repression by the Government of the People's Republic of China of peaceful Uighur protests; to the Committee on Foreign Affairs.

By Mrs. MCMORRIS RODGERS (for herself, Mr. LARSEN of Washington, Mr. INSLEE, and Mr. REICHERT):

H. Res. 625. A resolution recognizing and commending the 2009 National Veterans Wheelchair Games, to be held in Spokane, Washington, July 13 through 18, 2009; to the Committee on Veterans' Affairs.

By Mr. DAVIS of Alabama:

H. Res. 626. A resolution expressing the sense of the House of Representatives that Members of Congress who participate in the Federal Employees Health Benefits Program (FEHBP) should be automatically enrolled in the public plan; to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Washington (for himself, Mr. DICKS, Mr. LARSEN of Washington, Mr. REICHERT, Mrs. MCMORRIS RODGERS, Mr. BAIRD, Mr. MCDERMOTT, Mr. HASTINGS of Washington, and Mr. INSLEE):

H. Res. 627. A resolution honoring the citizen-soldiers of the National Guard of the State of Washington, including the 81st Brigade Combat Team (Heavy) of the Washington Army National Guard; to the Committee on Armed Services.

By Mr. DREIER (for himself and Mr. KUCINICH):

H. Res. 628. A resolution expressing the sense of the House of Representatives that the United States should pursue the global elimination of obstacles to the proliferation of technologies and services that science has proven are necessary to address the most pressing environmental problems of our time; to the Committee on Foreign Affairs.

By Mr. BLUMENAUER:

H. Res. 629. A resolution recognizing the accomplishments of the U.S. General Services Administration since its creation in 1949 for providing policy leadership and expertly managed space, products, services, and solutions, at the best value, to enable Federal employees to accomplish their missions; to the Committee on Oversight and Government Reform.

By Mr. DELAHUNT (for himself, Mr. MCGOVERN, Mr. MARKEY of Massachusetts, Mr. SERRANO, Mr. FARR, Mr. OBERSTAR, Mr. GUTIERREZ, Mr. CONYERS, Mr. HINCHEY, Mr. FILNER, Ms. SCHAKOWSKY, Ms. LEE of California, Mr. GRIJALVA, and Ms. BALDWIN):

H. Res. 630. A resolution condemning the June 28, 2009, coup d'etat in Honduras, calling for the reinstatement of President Jose Manuel Zelaya Rosales, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GENE GREEN of Texas (for himself, Mr. BRADY of Texas, Mr. EDWARDS of Texas, Mr. HINOJOSA, Mr. OLSON, and Mr. ROTHMAN of New Jersey):

H. Res. 631. A resolution congratulating Continental Airlines on its 75th Anniversary; to the Committee on Science and Technology.

By Mr. MELANCON:

H. Res. 632. A resolution congratulating Jockey Calvin Borel for his victory at the 135th Kentucky Derby; to the Committee on Oversight and Government Reform.

By Mr. SIRES (for himself, Mr. CROWLEY, Mr. DELAHUNT, Mr. MILLER of North Carolina, Mr. WEXLER, Mr. CARNAHAN, Mr. MEEKS of New York, Mr. COSTA, Mr. ELLISON, and Mr. HARE):

H. Res. 633. A resolution supporting the goals and ideals of the United Nations Office on Sport for Development and Peace; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. DUNCAN introduced a bill (H.R. 3182) for the relief of Hotaru Nakama Ferschke; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 155: Mr. SMITH of Texas and Mrs. BONO Mack.

H.R. 156: Mr. GRIFFITH.

H.R. 275: Mr. CARDOZA.

H.R. 276: Mr. MCCOTTER.

H.R. 442: Mr. ROGERS of Michigan.

H.R. 450: Mr. PRICE of Georgia and Mr. DEAL of Georgia.

H.R. 481: Mr. WALZ.

H.R. 621: Ms. MARKEY of Colorado, Ms. BALDWIN, Mr. BISHOP of New York, Mr. CROWLEY, Mr. WEINER, Mrs. MCCARTHY of New York, Mr. MCMAHON, Mr. PALLONE, Ms. CLARKE, Ms. EDDIE BERNICE JOHNSON of

Texas, Mr. PERLMUTTER, Mr. GRAYSON, Ms. WATSON, Mr. MOLLOHAN, Mr. KILDEE, Ms. DELAURO, Mr. LYNCH, Ms. WATERS, Mr. CONYERS, Mr. BLUMENAUER, Mr. KIND, Mr. DEFAZIO, Ms. CORRINE BROWN of Florida, Mr. TAYLOR, Mr. ALTMIRE, Mr. POMEROY, Mr. PENCE, Mr. BARRETT of South Carolina, Mr. DONNELLY of Indiana, Mr. MATHESON, Mr. TANNER, Mr. BACA, Mr. DAVIS of Tennessee, Mr. HELLER, Mr. TERRY, Mr. CASSIDY, Mr. BARTON of Texas, Mr. CUELLAR, Mr. CHAFFETZ, Mr. MCHENRY, Mr. BUCHANAN, Mr. BAIRD, Mr. POSEY, Mr. PITTS, Ms. GINNY BROWN-WAITE of Florida, Mr. MICA, Mr. ENGEL, and Mr. INGLIS.

H.R. 622: Ms. KOSMAS and Mr. HASTINGS of Washington.

H.R. 678: Mr. ISRAEL.

H.R. 682: Mr. KUCINICH.

H.R. 734: Mr. FOSTER and Mr. CONYERS.

H.R. 897: Mr. PAULSEN and Mr. GOODLATTE.

H.R. 932: Ms. SCHWARTZ.

H.R. 936: Mr. RUSH.

H.R. 950: Mr. CONNOLLY of Virginia and Mr. SALAZAR.

H.R. 1017: Mr. ROONEY.

H.R. 1024: Mr. INSLEE.

H.R. 1064: Mr. LEVIN.

H.R. 1159: Mr. KING of New York.

H.R. 1173: Mr. COBLE.

H.R. 1177: Mr. BARRETT of South Carolina, Mr. MICHAUD, and Mr. BURTON of Indiana.

H.R. 1179: Ms. EDWARDS of Maryland, Mr. PRICE of North Carolina, and Mr. SCOTT of Virginia.

H.R. 1197: Mr. BROWN of South Carolina.

H.R. 1207: Mr. MELANCON, Mr. BAIRD, Mr. BISHOP of New York, and Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 1215: Mr. MORAN of Virginia and Mr. JACKSON of Illinois.

H.R. 1255: Mr. ALEXANDER and Mr. NEUGEBAUER.

H.R. 1283: Ms. WATERS, Mr. MAFFEI, Mr. MOLLOHAN, and Mr. CLYBURN.

H.R. 1293: Mr. LAMBORN.

H.R. 1339: Ms. RICHARDSON.

H.R. 1347: Mr. HOLT.

H.R. 1361: Ms. ZOE LOFGREN of California and Mr. KUCINICH.

H.R. 1389: Mr. KING of New York.

H.R. 1392: Ms. ESHOO.

H.R. 1428: Mr. KENNEDY, Mr. SCHAUER, and Mr. GRIFFITH.

H.R. 1454: Mr. ROSKAM.

H.R. 1458: Mr. COHEN and Mr. RUSH.

H.R. 1485: Mr. HASTINGS of Florida.

H.R. 1547: Mr. DAVIS of Alabama and Mr. CARNEY.

H.R. 1548: Mr. REHBERG, and Mr. HIMES.

H.R. 1549: Mr. POLIS and Mr. KENNEDY.

H.R. 1557: Mr. PITTS and Mr. GERLACH.

H.R. 1612: Mr. DICKS, Mr. HASTINGS of Florida, Ms. ESHOO, Mr. MILLER of North Carolina, and Mr. JACKSON of Illinois.

H.R. 1616: Mr. CAPUANO, Ms. VELÁZQUEZ, and Mr. WELCH.

H.R. 1618: Mr. FARR, Mr. COSTELLO, Mr. GALLEGLY, Mr. CONYERS, and Mr. AKIN.

H.R. 1633: Mr. REHBERG.

H.R. 1643: Mr. ORTIZ.

H.R. 1677: Mr. MARSHALL.

H.R. 1678: Mr. MICHAUD.

H.R. 1682: Mr. GERLACH.

H.R. 1708: Mr. HALL of New York.

H.R. 1744: Mr. BRADY of Pennsylvania, Mr. HARE, Mr. FORBES, and.Mr. SHUSTER.

H.R. 1751: Mr. DELAHUNT.

H.R. 1800: Mr. HONDA.

H.R. 1826: Mrs. MALONEY.

H.R. 1835: Mr. CARTER.

H.R. 1868: Mr. SHADEGG.

H.R. 1870: Mr. FILNER.

H.R. 1881: Mr. COSTELLO.

H.R. 1894: Mr. KISSELL.

H.R. 1981: Mr. FORBES.

H.R. 2000: Mr. CONNOLLY of Virginia, Mr. SCHOCK, Mr. PRICE of North Carolina, Mr. TIERNEY, Mr. PALLONE, and Mr. FARR.

H.R. 2017: Mr. MITCHELL, Mr. ROGERS of Kentucky, Mr. BILIRAKIS, Mr. THORNBERRY, Ms. SHEA-PORTER, Mr. LINCOLN DIAZ-BALART of Florida, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2057: Ms. ZOE LOFGREN of California and Mr. HINCHEY.

H.R. 2060: Mr. OLVER.

H.R. 2067: Mr. MEEKS of New York.

H.R. 2068: Mr. DENT.

H.R. 2097: Mr. ACKERMAN, Mr. KISSELL, Mr. TEAGUE, Ms. PINGREE of Maine, Mr. SCHAUER, Mr. COURTNEY, Mr. CLAY, Mr. CLEAVER, Mr. MEEK of Florida, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. HODES, Mr. TOWNS, Ms. CLARKE, Mr. LANGEVIN, Mr. WALZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. SCOTT of Georgia, Mr. PERLMUTTER, Mr. BECERRA, Mr. CLYBURN, Mr. DOYLE, Mr. THOMPSON of Mississippi, Mr. BUTTERFIELD, Mr. MCNERNEY, Mr. CONYERS, Ms. SPEIER, Mr. SESTAK, Mr. BERMAN, Mr. LARSEN of Washington, Mr. ALTMIRE, Mr. BISHOP of New York, Mr. BRADY of Pennsylvania, Mr. STUPAK, Mr. MURTHA, Mr. AL GREEN of Texas, Ms. RICHARDSON, Mr. CONNOLLY of Virginia, Mr. ENGEL, Mr. QUIGLEY, Mr. DINGELL, Mr. PETRI, Mr. PENCE, Mr. CAMPBELL, Mr. WAMP, Mrs. EMERSON, Mr. FALEOMAVAEGA, Mr. HENSARLING, Mr. LINDER, Ms. GINNY BROWN-WAITE of Florida, Mr. MCGOVERN, Ms. WATERS, Mr. SKELTON, Mr. CARNEY, Mr. PETERS, Mr. TONKO, Mr. HIMES, Mr. DOGGETT, Mr. WEXLER, Mr. VISCLOSKY, Mrs. DAVIS of California, Ms. KILROY, Mr. MAFFEI, Ms. SUTTON, Mr. DONNELLY of Indiana, Ms. MOORE of Wisconsin, Ms. KOSMAS, Mr. ISRAEL, Mr. TIM MURPHY of Pennsylvania, Ms. TSONGAS, Mrs. HALVORSON, Ms. TITUS, Mrs. MCCARTHY of New York, Mr. KANJORSKI, Mr. HOLDEN, Mr. MILLER of North Carolina, Mr. POLIS, Mr. ANDREWS, Mr. STEARNS, Mr. TIAHRT, Mr. SIMPSON, Mr. FRELINGHUYSEN, Mr. NUNES, Mr. MCCOTTER, Mr. TIBERI, Mr. MICA, Mr. CASTLE, Mr. MILLER of Florida, Mr. AKIN, Mr. FORBES, Ms. WOOLSEY, Mr. WHITFIELD, Mr. CULBERSON, Mr. JONES, Mr. FORTENBERRY, Mr. ALEXANDER, Mr. SCALISE, Mr. SCOTT of Virginia, Mr. COLE, Mr. JOHNSON of Illinois, Mr. KING of New York, Mr. DELAHUNT, Ms. SLAUGHTER, Mr. GINGREY of Georgia, Mr. KIND, Mr. DENT, Ms. GIFFORDS, Mr. SMITH of Washington, Mr. BURTON of Indiana, Mr. THORNBERRY, Mr. CARTER, Mr. SAM JOHNSON of Texas, Mr. NEUGEBAUER, Mr. TURNER, Mr. ISSA, Mr. GOHMERT, Mr. MCCLINTOCK, Mr. SHADEGG, Ms. FOXX, Mr. ROGERS of Michigan, Mr. WESTMORELAND, Mr. KING of Iowa, Mr. ROE of Tennessee, Mr. KLINE of Minnesota, Mr. CANTOR, Mr. GEORGE MILLER of California, Mr. FLAKE, Mr. REICHERT, Mr. SMITH of Texas, Mrs. BIGGERT, Mr. ROSKAM, Mrs. LUMMIS, and Mr. OLSON.

H.R. 2102: Mr. CARNAHAN, Mr. CLAY, and Mr. LANGEVIN.

H.R. 2105: Mr. MORAN of Kansas.

H.R. 2106: Mr. MORAN of Kansas.

H.R. 2119: Mr. WOLF.

H.R. 2139: Mr. YARMUTH.

H.R. 2160: Mr. WU.

H.R. 2178: Mr. CAPUANO, Mr. MEEKS of New York, Ms. MOORE of Wisconsin, Mr. PAUL, and Ms. CLARKE.

H.R. 2194: Mr. NUNES, Mr. MANZULLO, Mr. COURTNEY, Mr. POSEY, Mrs. EMERSON, Ms. JENKINS, Mr. BRADY of Texas, Mr. SHIMKUS, Mr. LINDER, Mr. BARRETT of South Carolina, Ms. MARKEY of Colorado, and Ms. KOSMAS.

H.R. 2227: Mr. DAVIS of Alabama.

H.R. 2246: Mr. BOOZMAN.

H.R. 2254: Mr. SALAZAR and Mrs. EMERSON.

H.R. 2271: Mr. WU.

H.R. 2287: Mr. GOODLATTE.

H.R. 2296: Mr. ROGERS of Michigan, Mr. COFFMAN of Colorado, and Mr. GUTHRIE.

H.R. 2314: Mrs. CHRISTENSEN.

H.R. 2324: Mr. STARK, Mr. NADLER of New York, Ms. SCHWARTZ, Ms. MCCOLLUM, and Mr. ACKERMAN.

H.R. 2349: Mr. DRIEHAUS.

H.R. 2363: Mr. HOLT, Mr. OLVER, and Mr. ELLISON.

H.R. 2378: Mr. DONNELLY of Indiana.

H.R. 2448: Mr. HINCHEY.

H.R. 2518: Mr. INGLIS.

H.R. 2542: Mr. MICA.

H.R. 2567: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2575: Mr. MCGOVERN.

H.R. 2584: Mr. YOUNG of Alaska and Mr. CONAWAY.

H.R. 2605: Mr. MORAN of Kansas.

H.R. 2625: Mr. BLUMENAUER.

H.R. 2626: Mrs. MCMORRIS RODGERS.

H.R. 2632: Mr. ACKERMAN, Mr. ALTMIRE, Ms. CORRINE BROWN of Florida, Mr. CONAWAY, Mr. CARNEY, Ms. FUDGE, Mr. CLEAVER, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. SMITH of Texas.

H.R. 2697: Mr. FILNER.

H.R. 2743: Mr. BARTON of Texas, Ms. EDWARDS of Maryland, Mr. MICA, Ms. BALDWIN, Ms. SCHWARTZ, Mr. LANCE, Mr. SCHIFF, and Mr. THOMPSON of Pennsylvania.

H.R. 2746: Mr. GUTIERREZ, Mr. MURTHA, Mr. PAYNE, Mr. CLEAVER, and Mr. SCOTT of Georgia.

H.R. 2770: Mr. COURTNEY and Mr. LAMBORN.

H.R. 2796: Mr. BARTON of Texas.

H.R. 2811: Ms. HIRONO.

H.R. 2852: Mr. PRICE of North Carolina.

H.R. 2882: Ms. WOOLSEY and Mr. PASTOR of Arizona.

H.R. 2910: Mr. PETRI.

H.R. 2920: Mr. DICKS and Mr. KILDEE.

H.R. 2963: Mr. NYE, Mr. BACA, Mr. DAVIS of Tennessee, and Mr. MILLER of North Carolina.

H.R. 2969: Mrs. CHRISTENSEN.

H.R. 2982: Mr. BARTLETT.

H.R. 3001: Mr. MORAN of Virginia.

H.R. 3006: Mrs. NAPOLITANO.

H.R. 3012: Mr. KENNEDY and Mrs. CHRISTENSEN.

H.R. 3015: Mr. CULBERSON.

H.R. 3017: Mr. PASTOR of Arizona and Mr. BISHOP of New York.

H.R. 3040: Mr. JOHNSON of Georgia.

H.R. 3042: Mr. NADLER of New York and Mr. FRANK of Massachusetts.

H.R. 3044: Mr. GENE GREEN of Texas, Mr. DAVIS of Tennessee, Mr. ROONEY, Mr. MCCARTHY of California, and Mr. GERLACH.

H.R. 3047: Mr. JACKSON of Illinois and Mr. BRADY of Pennsylvania.

H.R. 3109: Mr. FILNER, Mr. ORTIZ, and Mr. REYES.

H.R. 3119: Mr. DANIEL E. LUNGREN of California.

H.R. 3141: Ms. FALLIN.

H.R. 3147: Mr. CARNAHAN.

H. Con. Res. 16: Mr. FLEMING.

H. Con. Res. 87: Mr. OLVER and Mr. POE of Texas.

H. Con. Res. 121: Mr. DEAL of Georgia.

H. Con. Res. 144: Mr. PRICE of North Carolina, Mr. LINCOLN DIAZ-BALART of Florida, Ms. WOOLSEY, Mr. TEAGUE, Mr. MCNERNEY, Mr. NADLER of New York, Mr. TIBERI, Ms. PINGREE of Maine, and Mr. ABERCROMBIE.

H. Con. Res. 156: Mr. BERMAN.

H. Con. Res. 163: Mr. CONYERS, Mr. ETHERIDGE, Mr. BOOZMAN, Mr. FILNER, and Mr. KANJORSKI.

H. Res. 93: Mr. MINNICK and Ms. LORETTA SANCHEZ of California.

H. Res. 175: Mr. KILDEE.

H. Res. 402: Mr. FORTENBERRY.

H. Res. 409: Mrs. MYRICK.

H. Res. 433: Mr. KENNEDY.

H. Res. 441: Mr. REYES, Mr. RANGEL, Mr. OBERSTAR, Mr. TONKO, Ms. FOXX, and Mr. LATHAM.

H. Res. 487: Mr. DINGELL, Mr. EHLERS, Mr. MCCAUL, Mr. CAMP, Mr. CONYERS, and Mrs. MILLER of Michigan.

H. Res. 496: Mr. GALLEGLY.

H. Res. 531: Mr. KIRK.

H. Res. 555: Ms. HARMAN, Mr. BERMAN, Mr. FALEOMAVAEGA, Ms. JACKSON-LEE of Texas, Mr. POE of Texas, Mr. ROSS, Mr. CROWLEY, Mr. MCMAHON, Mr. GORDON of Tennessee, Mr. GENE GREEN of Texas, Mr. ACKERMAN, Mr. GUTIERREZ, Mr. KINGSTON, Mr. MANZULLO, Mr. DANIEL E. LUNGREN of California, Ms. ROS-LEHTINEN, Mr. WEINER, Mr. SHERMAN, Mr. COSTA, Mr. CARDOZA, Mr. ELLISON, Ms. LEE of California, Mr. PAYNE, Mr. SCOTT of Georgia, Mrs. DAVIS of California, Mr. SNYDER, Mr. GRAYSON, Ms. WATSON, Mr. TANNER, Mr. ABERCROMBIE, Mr. INSLEE, Ms. WOOLSEY, Mr. WEXLER, Mr. FRANKS of Arizona, Mr. MORAN of Virginia, Ms. LORETTA SANCHEZ of California, Mr. INGLIS, Mr. TOWNS, and Mr. PASCRELL.

H. Res. 558: Mr. HONDA.

H. Res. 561: Mr. HIGGINS, Mr. TOWNS, Mr. ARCURI, Mr. ACKERMAN, Mr. KING of New York, Mrs. HALVORSON, Mr. POMEROY, Mr. PRICE of North Carolina, Mr. TONKO, Ms. WASSERMAN SCHULTZ, Mr. LEE of New York, and Mr. HIMES.

H. Res. 562: Mr. DENT, Mrs. MALONEY, Mr. TOWNS, Mr. ARCURI, Mr. LEE of New York, Mr. ACKERMAN, Mr. KING of New York, Mr. HIGGINS, Mr. TONKO, Mrs. HALVORSON, Mr. POMEROY, Mr. PRICE of North Carolina, and Mr. HIMES.

H. Res. 563: Mr. HIGGINS, Mr. TOWNS, Mr. ARCURI, Mr. LEE of New York, Mr. ACKERMAN, Mr. KING of New York, Mrs. HALVORSON, Mr. POMEROY, Mr. PRICE of North Carolina, Mr. TONKO, Ms. WASSERMAN SCHULTZ, and Mr. HIMES.

H. Res. 574: Mr. GRIJALVA and Ms. JACKSON-LEE of Texas.

H. Res. 577: Mr. RADANOVICH and Mr. HILL.

H. Res. 590: Mr. SMITH of New Jersey.

H. Res. 613: Mr. WOLF, Mr. LARSON of Connecticut, and Mrs. MCMORRIS RODGERS.

H. Res. 615: Mr. GINGREY of Georgia, Mr. MILLER of Florida, and Mr. CANTOR.

H. Res. 619: Mr. HOEKSTRA.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 3 by Mr. LaTOURETTE on House Resolution 359: Tim Murphy, Ed Whitfield, Cathy McMorris Rodgers, Lamar Smith, Nathan Deal, Roy Blunt, Michele Bachmann, Mark E. Souder, and Michael N. Castle.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, FRIDAY, JULY 10, 2009 No. 103

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEFF MERKLEY, a Senator from the State of Oregon.

PRAYER

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

Let us pray.

Help us, O Lord, to run when we can, to walk when we ought, and to wait when we must.

Today, give wisdom to our lawmakers. May they leave undone that for which they are not ready as they open their minds to discern Your will. Lord, help them to not pray for tasks fitted for their strength but for strength which fits them for their tasks. Conform their lives more and more to Your likeness. Continue to lift the light of Your countenance upon them and fill them with Your peace.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEFF MERKLEY 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 10, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, there will be a period for the transaction of morning business. Senators will be allowed to speak for up to 10 minutes each. There will be no rollcall votes during today's session of the Senate.

HEALTH CARE

Mr. REID. Mr. President, many Americans are fortunate to have health insurance to help them pay for their prescriptions, treatments, or even doctor visits. Like any kind of insurance, we hope we never have to use it, but it is comforting to know it is there. But what happens if the system designed to give us that sense of security and stability is not itself secure or stable? Where does one turn when that certainty is taken away? That is the fear too many middle-class families in America have. They see the jobs around them disappear. For some, one of those jobs may be their own job. They see their paychecks get smaller, or they struggle each week because that paycheck simply does not go far enough. They may have insurance today, but they don't know if they will be able to say the same tomorrow.

Too many families in the greatest country and the largest economy in the world, by far, live just one illness or one accident or one pink slip away from losing that sense of security—their health insurance.

Far too many families have to make a decision when their children get sick: Do they buy them new school supplies or do they buy them clothes? Do they buy some extra groceries for the family or are they going to be able to take them to the doctor? As I say, do they get them new clothes when they grow out of their old ones or do they get the treatment they need to stay healthy or even to get healthy? Far too many hard-working Americans have to make a choice when their doctor gives them a prescription for chronic illness, or what insurance companies like to call a preexisting condition. Do they get that medicine or do they add that little piece of paper to a top of a mounting pile of bills they cannot afford to pay?

What about small businesses, those entrepreneurs in big cities and small towns that innovate, invent, and fuel our economy? They do have a choice to make. Do they hire new employees? Do they lay off more hard-working Americans or do they just simply cancel their health insurance for their employees because it is too expensive? Businessmen and businesswomen do not have a lack of insurance because they are cheap or they do not care about their employees, they do not have health insurance because they cannot afford it. It is too expensive.

Taking your child to the doctor, filling a prescription, and giving your workers health insurance should not have to be choices. They should not end in question marks. That is exactly why we are working to bring stability and security back to health care. Health care reform means making sure every American can afford access and care. Reform means making sure that if you lose your job, your health care will not go with the job you have lost. It means if you change jobs, your health care stays with you. Reforming health care means that if your mother had breast cancer or you had minor surgery last year or your kid gets allergies every spring, your insurance company cannot say: I am sorry, you are just too much of a risk for us to

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

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cover anymore. Health care reform means lowering the cost of care and keeping it low. It means improving the quality of care you get and keeping the quality high. It means that premiums you pay every month will not go up just because your insurance company feels as if they should.

Senator PATTY MURRAY of Washington told a story. I was at an event with her yesterday. She got up yesterday morning to find in the Washington press an insurance company that insures 135,000 Washingtonians will have a 17.5-percent increase immediately in their health insurance premiums. That is an average. Some are higher, some are lower. Reform means the premiums you pay every month will not go up just because your insurance company feels like it. It means keeping costs stable so the price of staying healthy does not fluctuate like a gallon of gas. It not only means making sure you can keep going to your family doctor or keep your health care plan if you like it but also that you can afford to do so.

No one can predict when the next accident might come, when one might get laid off. We don't know when we will get sick or when one of our loved ones will get sick. But we can put people in control of their own health care.

A doctor's first job when someone comes into the emergency room is to stabilize the patient. When it comes to addressing the emergency care in our health system, our job is to do the same—stabilize it. We have to cure the uncertainty in health care. We must fix our broken health care system so that when you open your medicine cabinet, you can be certain the prescription you need to get better will be there. When you open your wallet, you should be certain you can afford to go to the doctor. And when you open that small business in your hometown, you can be certain you can hire employees to grow your company, put your ideas into motion, realize your American dream, and have your employees covered with health insurance.

The status quo is ruining our country's financial stability. Right now, one-sixth of every dollar spent in America goes for health care. If we do not change this, by the year 2020—that is a little over 10 years away—it will be 35 cents of every dollar spent will be on health care. It will bankrupt our country. We must change this.

I ask my Republican colleagues: Let's not make this a partisan issue. Let's work together. That is why I so appreciated a number of valiant Republicans on the Finance Committee working together to try to come up with a health care plan that can be supported by Democrats and Republicans in the Senate. We can do it alone. Democrats can do it alone. We do not want to do it alone because it would be under something we call reconciliation, and it changes the rules. And instead of being able to do a large amount of health care, we are only going to be able to do a little health care. We want to work with our Republican colleagues. This is not a partisan issue. People losing their health care are not Democrats, Republicans, or Independents; they are Americans, whether from the State of Oregon or the State of Nevada.

The Presiding Officer represents the State of Oregon. There is extremely high unemployment in Oregon, higher than in Nevada, and we are over 11 percent. In 1 month, we went from 10.4 percent to 11.3 percent unemployment. So the people losing their jobs, losing their health care in Oregon and Nevada and all the rest of the States are not partisans. They want something done to restore their jobs, to get them new jobs, and to give them health insurance, if they do not have it, and make sure it is not taken away from them.

I reach out to my Republican colleagues to join with us in this necessity of doing something about health care. This is not something we are looking for work to do. We are doing it because it is absolutely essential. Right now, I repeat, one-sixth of every dollar spent goes to health care in America. If we do not change this, in just a few years it will be 35 cents of every dollar. We cannot sustain that.

Mr. President, it is my understanding you are going to open morning business.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

The bill clerk proceeded to call the roll.

Mr. MCCAIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

HEALTH CARE REFORM

Mr. MCCAIN. Mr. President, I wish to note, in the context of my remarks, the announcement yesterday that the deficit for the first 9 months of this year is now $1.1 trillion, headed for, at the end of this year, $1.8 trillion, perhaps the highest percentage of GDP in the history of this country outside of wartime. We are now in the process of adding amendment after amendment in the HELP Committee without any idea of the cost. As one of my colleagues who proposed a massive expansion of women's health care yesterday said in the committee: It is not the cost that is important; it is the cause. A remarkable approach to the fact that we are mortgaging our children and grandchildren's futures in a fashion which is the commission of generational theft.

Chairman DODD received a new score on his bill last week by hiding the real cost of the bill. A few weeks ago, the preliminary cost was over $1 trillion. Now it is at $900 billion—same bill, just different numbers. On the one hand, we are told reform is urgent and, at the same time, they don't implement the bill for 4 years; conveniently, after the next Presidential election. Then they will tax employers with a job-killing employer health mandate, collect $52 billion from small employers, the engine that will take us out of our recession. Nobody disagrees about the role of small business in our economy. Then this latest proposal hides the cost of the additional hundreds of billions of dollars of Medicaid expansion.

The State of California is offering IOUs to pay their bills. They have a $26 billion deficit. We are going to increase Medicaid's burden on the States to the tune, in the case of California, of several more billion dollars. How are they going to pay for it? It is an impossible task.

I am told that is not about the cost, but it is about the cost. Just as the stimulus package was about the cost, just as the continued bailout of industries such as the automotive industry, banks, financial institutions and anybody who is "too big to fail," when small business people all over America are closing their doors because they are too small to save.

For the first 9 months, the deficit is $1.1 trillion. That is $800 billion greater than the deficit recorded last year. The American people have a right to know what this health care bill will cost, what it will cost now and what it will cost our grandchildren.

The Washington Post today tells us how not to reform health care, in opposing the government insurance President Obama now says is so critical. According to today's Washington Post:

> . . . it would be tragic if this issue were to drag down health reform or make it impossible to secure Republican votes. Restructuring the health-care system is risky enough that Democrats would be wise not to try to accomplish it entirely on their own.

I certainly hope my friends on the other side of the aisle pay attention to that comment. It has turned into a partisan effort, and it is too bad.

From today's Wall Street Journal, "Democrats Hoodwinked the Health Lobby. Americans's health-care CEOs are being taken for a ride by Congress and their own lobbyists."

It is a very interesting article by Kimberly Strassel.

> The industry's calculation is that by cutting deals, it can set the terms of its contributions to "reform" and even wangle upsides. The insurers came first, promising to squeeze $2 trillion in costs out of the system. Democrats are letting Ms. Ignagni believe

that in return she will get a mandate to require all Americans to carry insurance (which her members will supply) and be spared a public option (which would decimate her industry).

It goes on to talk about Mr. Tauzin who:

. . . came along pledging that drug makers would cough up $80 billion to narrow a gap in Medicare drug coverage. He's been led to think that Washington will forgo its plans to allow drug reimportation or give him a hand on generics.

The word is that the administration is now saying drug reimportation is not important, in exchange for this deal with Mr. Tauzin. How unsavory is that. Drug reimportation will save the American people $50 billion a year. It is a fact. PhRMA, the large prescription drug lobby—a very powerful one here in our Nation's capital—in return for saying they will save $80 billion, the administration in return will give up their support for what would save the American people $50 billion, when the $80 billion they are talking about is purely illusory, to say the least.

The Wall Street Journal article goes on to say:

Democrats have complemented their smiling encouragements with behind-the-scene threats. After retaking the House in 2006, the party made clear that companies that did not hire Democratic lobbyists would not get a hearing in Washington. The ruling party is now seeing the fruits of its bullying. These days a meeting of health-care lobbyists is better described as a reunion of Senate finance Chairman Max Baucus's former aides. Health-care lobbying has been turned on its head: The new cabal of Democratic lobbyists does not exist to protect the industry from Congress. It exists to present Democratic ultimatums to business.

When Senate Republicans last month hosted a meeting to discuss reform ideas, Mr. BAUCUS's office called in a block of these Democratic lobbyists to deliver a message. ''They said, 'Republicans are having this meeting and you need to let all of your clients know if they have someone there, that will be viewed as a hostile act,'' reported one attendee to the Baucus caucus.

Interesting.

All these actions—the White House meetings, the strung-out negotiations, the muzzling—have been taken with one aim: To buy silence. President Barack Obama is committed to a public option. Liberal Democrats intend to make the private sector fund their plans. They figure by the time they drop a bill that contains odius elements, it'll be too late for any industry player—big or small—to cut a Harry & Louise ad.

Industry players this week got a glimpse of how they will be treated. House Energy and Commerce Chairman Henry Waxman dismissed the $80 billion drug deal, claiming it did not have House support, and moreover that the White House ''told us they are not bound to that agreement.''

The question is just how long it is going to take for America's health-care CEOs to realize they are being taken for a ride both by Congress and their own lobbyists. Americans are wary enough about ObamaCare to maybe appreciate some straight talk from corporate America. If only corporate America can find the smarts to give it.

The debate and discussion continues in the House and the Senate. They still haven't found a way to pay for the health care reforms they want to make. It is still around a trillion dollars. We hear everything from a 10-cent tax on soft drinks to the employer benefit proposal which was so strongly derided and attacked during the last campaign. So far we are talking about laying another trillion or two of debt on the American people, in addition to the $1.8 trillion deficit we have already amassed this year.

Again, I urge colleagues and the administration to sit down in true negotiations, in bipartisan fashion together, and maybe we can solve this issue. We all know the quality of health care in America is the highest in the world. But the costs of health care in America and the inflation associated with it are something we must address so that health care is affordable and available to all Americans.

I yield the floor and suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. BROWN. I ask unanimous consent that the order for the quorum call be rescinded.

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

BIOLOGICS

Mr. BROWN. Mr. President, this week Congress is deciding whether to broaden access to affordable generic drugs for millions of Americans. As we all argue our points, it is important to remember what this issue is all about. Broadening access to generic drugs is not about Republicans or Democrats. It is not even about the drug companies, the biologic makers, or the other pharmaceutical companies. It is about men and women in my State and the State of the Presiding Officer and around the country. Broadening access to generic drugs is about the 192,370 new cases of breast cancer that will be diagnosed in American women this year, and the $48,000 average annually is what it will cost to treat their disease with the biologic drug Herceptin, $48,000 annually. This is about the 1.3 million adults affected by rheumatoid arthritis each year and the $2,000 average annually it cost to treat their difficult disease with the biologic drug Remicade. Broadening access to generics is about the 148,610 men and women diagnosed with colon cancer each year and the $100,000 it costs them each year to treat the disease with the biologic drug Avastin.

Let me mention a few other noteworthy numbers: $1.2 billion represents the average cost to develop a new biotech product; this includes research and development and the costs lost to products that never make it to market. It is not just $1.2 billion for the product itself that makes it to market. It is about the false starts and includes all that too. Continuing, $9.2 billion represents the 2008 sales of Genentech's biologic colon cancer treatment Avastin. I said it cost $100,000 per patient to treat with that drug. Eight billion represents the 2008 sales of Amgen's biologic arthritis treatment Enbrel. Finally, $7 million represents how much money PhRMA spent in the first 3 months of 2009 to lobby Congress; $7 million to lobby Congress in the first 3 months of this year. That is before we started the most intense part of working on this bill.

I encourage colleagues on both sides of the aisle to keep all of these numbers in mind as we go through the debate this week and next week—the numbers of patients who depend on these drugs, the cost to the patients one by one by one for each of these drugs, the amount of money the drug companies, the biologic companies have made on these drugs, and the amount of money they are spending lobbying Congress to have their way on these issues.

Countless Americans cannot afford expensive brandname drugs, known as biologics. These drugs provide promise and hope—and we are very indebted to these companies for developing these drugs; they clearly save lives—these drugs provide promise and hope to those suffering from devastating diseases and chronic illnesses, including cancer, Parkinson's, diabetes, Alzheimer's, and MS.

For example, annual treatment for breast cancer with the biologic drug Herceptin costs $48,000 a year. The annual treatment for rheumatoid arthritis with Remicade, as I said, costs approximately $20,000 a year. These drugs are simply too expensive for so many people to afford.

The average household income in Ohio for 2007 was $46,597. For the patient who cannot afford a treatment, it does not matter if it is a breakthrough and it does not matter if it is lifesaving, he or she simply cannot afford it.

There is currently—to put this in context—no FDA approval process for biogenerics, biologic generic equivalents, comparable to the process that enables generic drugs to compete against their brandname counterparts.

We all have seen the money you can save when you go to your doctor for a typical drug that has a generic substitute. It is the same drug with the same active ingredients, and a physician will encourage their patient to buy the generic equivalent. That is true for the chemical drugs we have had for many years. It is not true for the biologics. There is no generic equivalent. There is no pathway allowed for generics to compete against the biologics.

Absent that process, there is no free market exerting downward pressure on biologic prices, so prices remain high, so prices remain $20,000 a year or sometimes as high as $7,000 or $8,000 a month for some of these biologics.

That is the problem in a nutshell, but behind it—this is all talking public policy up here—but behind it, underneath it, are the lives of hundreds of thousands of Americans, situations in which Americans cannot afford treatments that prevent disability and, in some cases, prevent death.

Early this year, Ohio representatives from the Arthritis Foundation visited my office to talk about soaring health care costs and the limitations of our current system. These individuals spoke of extreme and prolonged physical pain, pain that could be alleviated if only the treatments existed—which they do—and only if they were affordable—which too often they are not.

Biologics provide great promise and hope to those suffering from devastating diseases and chronic illnesses. But absent competition, absent what we call follow-on biologics, absent a generic substitute to compete—but absent competition—countless Americans will be unable to benefit from these medicines.

It would be irresponsible on our part not to pursue a safe and efficient path to biogenerics. And it would be irresponsible on our part to pursue a pathway that allows for over a decade of monopoly protections for brandname products.

We did not do that with the generic drugs, the so-called Hatch-Waxman bill, which everyone in this body is familiar with. Most people at home around our country—most people in Toledo and Akron and Cincinnati and Dayton and Springfield and Mansfield—have benefited from Hatch-Waxman, the generic drug law, which cut prices for brandname drugs 50, 60, 70, 80 percent. But you cannot do that with biologics because we have not written the law to open up the process to allow follow-on biologics, to allow generic biologics, to allow competition in the system.

But next week, as the Presiding Officer knows, in the Health, Education, Labor and Pensions Committee, we have the opportunity to make affordable generic drugs more accessible for our seniors, more accessible for our Nation's middle class, more accessible for the hundreds of thousands—no, the millions—of Americans who are suffering from these diseases. But so many of them are unable to afford these expensive biologics.

Health care reform must broaden access to generic alternatives to biologics, the most expensive kinds of prescription drugs. Failing to do so is not just bad policy, bad public policy; failing to do so means we are letting down millions of our sickest citizens.

Mr. President, I yield the floor and suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

NOMINATION OF ROBERT M. GROVES TO BE DIRECTOR OF THE CENSUS

Mr. REID. Mr. President, I now ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 169, the nomination of Robert M. Groves to be the Director of the Census for our country.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read the nomination of Robert M. Groves, of Michigan, to be Director of the Census.

CLOTURE MOTION

Mr. REID. Mr. President, I now send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Robert M. Groves, of Michigan, to be Director of the Census.

Harry Reid, John D. Rockefeller, IV, Christopher J. Dodd, Arlen Specter, Richard J. Durbin, Mark Begich, Mark Udall, Michael F. Bennet, Jeff Bingaman, Robert P. Casey, Jr., Frank R. Lautenberg, Blanche L. Lincoln, Tom Udall, Bill Nelson, Byron L. Dorgan, Claire McCaskill, Kirsten E. Gillibrand.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

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

Mr. REID. Mr. President, I now ask unanimous consent that on Monday, July 13, at 4:30 p.m., the Senate proceed to executive session, and there be 1 hour of debate prior to a vote on the motion to invoke cloture on the nomination, with the time divided as follows: 15 minutes each for Senators COLLINS, SHELBY, and VITTER, with 15 minutes equally divided between Senators LIEBERMAN and CARPER; that at 5:30 p.m., the Senate vote on the motion to invoke cloture; that if cloture is invoked, then all postcloture time be yielded back and the Senate immediately vote on confirmation of the nomination; that upon confirmation, the motion to reconsider be laid upon the table; no further motions be in order; the President then be immediately notified of the Senate's action; and the Senate resume legislative session.

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

Mr. REID. Mr. President, are we in morning business?

The ACTING PRESIDENT pro tempore. We are not in morning business.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

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

The Senator from Nebraska.

HEALTH CARE

Mr. JOHANNS. Mr. President, late last week, media reports heralded the decrease in the pricetag of the HELP Committee's health care proposal. But I would suggest that before we uncork the champagne, before we celebrate a great accomplishment, let's study more closely the untold story. I believe we will find accounting gymnastics that have been employed.

While the headlines may have touted a HELP Committee bill that scored at $611 billion over 10 years, the real pricetag, when fully implemented, actually totals about $2 trillion.

That is a big darn difference. An almost $1.5 trillion discrepancy simply cannot be swept under the rug. It is too big to be a rounding error—even in the Federal Government—and too much of a budget buster to be ignored. So where is the difference?

First, the Congressional Budget Office assumes it will take the Federal bureaucrats over 4 years to get the government-run health care and other subsidies up and running. So while the $611 billion score claims to be a 10-year number, essentially it only covers 6 years of the costs.

If you look at the CBO score for the first 10 years after the program is fully implemented, the actual spending is closer to $1.5 trillion. In addition, while the press releases were claiming credit for increased insurance coverage, they were actually leaving out what it actually cost to make that happen.

That euphoric claim that 97 percent of Americans would be covered under the HELP proposal is not even in the HELP Committee proposal. Only in Washington can you assume something to be, take credit for the accomplishment, and then not pay the bill.

The 97-percent statistic is based on an assumption. The assumption is that Medicaid will be expanded up to 150 percent of the Federal poverty level. This expansion is estimated to bring 20 million new people into a government-run health care plan.

However, CBO estimates that it will cost around $500 billion over 10 years. Nowhere is that cost yet considered. And this is only the Federal share of the program. It does not take into account the State taxes that will need to be raised in order for each State to pay its share of this bill.

At one point, I was a Governor. In my own State of Nebraska, this expansion will cost the State taxpayers $73 million a year when they have to assume the costs of the program. That is a lot of money to come up with in these tough economic times.

The American people, I believe, deserve more than budgetary tricks. Let's be honest about what we are trying to do here, and let's be very candid with people about the real costs, the fully implemented costs of the program. Let's also be very upfront about the realities of what a government-run program can or cannot accomplish in actually bringing down health care costs.

Some claim that a government-run plan will serve as competition for private insurance and, thus, will bring down the cost of those insurance premiums. However, the CBO score makes it clear that if a government-run plan competes on a truly level playing field, it is not going to lower health care costs. The only way a government-run program can offer reduced insurance premiums is if they pay providers and hospitals at rates equivalent to current government programs. But this wouldn't cover costs. Instead, it would create cost shifting under private insurance, which is already happening today. CBO cautioned that reducing payment rates would only increase the access problems we have with current government programs.

Currently, we know 40 percent of doctors don't take Medicaid patients. It is not that they don't want to; it is because the rates are so low they don't cover their costs. This directly contradicts President Obama's message: If you like your doctors, you will be able to keep them.

The reality is, on this government program—Medicaid—which is due to insure more, that is not the case. The CBO score actually confirms that many employees would lose their employer-based health care should this bill become law.

Let me put up a chart, if I might.

In fact, the HELP Committee's bill seems to directly encourage employers to dump their employees into a government-run plan. In the committee draft, businesses that employ 25 or more employees would be required to pay an annual penalty, which is shown here, of $750 for a full-time employee, if they choose not to provide private health insurance for the employees. When you do the math, though, this isn't a penalty at all compared to the cost of private insurance.

Looking again at the chart, in 2008, the average employer's cost for an individual in a group plan was $3,983. So putting their employees on the public plan option is actually a savings. It is a savings, as the chart shows, of $3,233 a year for each employee for that employer.

Paying the so-called penalty to get out from underneath the private insurance costs looks like a pretty smart business decision. In fact, I don't think it is a coincidence that a very large retailer recently came out in support of the employer mandate. When I heard this news, my initial reaction was, What is the catch?

Well, I think we found the catch. With over 1.4 million employees, this company reports that 51.8 percent of their employees have coverage through an employee health care plan. If all of these employees end up on the public plan, it would save this company $2.4 billion a year. The employees, members of our middle class, lose their insurance plan and the promise is not kept.

It is no surprise the company does very well: $2.4 billion goes to the bottom line. Also no surprise, this company is supporting an employer mandate. Ultimately, people will not have a choice to keep their employer-based coverage and will not receive the same level of care when their employer dumps them onto the government plan to make their bottom line look better. This will directly impact the ability of the middle class to choose the doctor they want. It will inject government bureaucrats into their medical decisions because they have no choice. It is an employer's choice to move you to the government plan. To promise otherwise is misleading.

False promises will not help us achieve true solutions. Congress has been tasked with solving this problem, and we must work together to resolve the problem of reining in soaring costs. Adding another $2 trillion entitlement program onto a budget that is already in serious trouble doesn't make sense.

The American people have sent us to Washington to identify the problem and fix it, not exacerbate it. Let's not put together bad policy and end up with another financial debacle. This time there is far more than money on the line. Americans treasure their ability to choose their doctors, to receive treatment, to have control of their life. They don't want a Federal bureaucrat in the middle of it. So let's be candid with the American people and put together a good bill that actually addresses the real problems. Let's get it right this time.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized.

Mr. KAUFMAN. Mr. President, I ask unanimous consent to speak as in morning business for 20 minutes.

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

HEALTH CARE

Mr. KAUFMAN. Mr. President, I rise today to talk about health care and why Congress needs to pass reform now.

There are three simple truths to healthcare reform:

First, if we don't pass healthcare reform this year, the stars will not align for another opportunity to pass a major reform bill for years and years to come.

Don't kid yourself: The last time Congress failed to pass major health care reform, 15 years passed until today.

If the Congress fails to enact a health care reform bill this year, with a new President in his first year in office who has a strong relationship with Congress, it simply will not be done until years from now when the system has collapsed into truly catastrophic shape.

And that leads to the second simple truth: We must pass reform now because the consequences of failure are not that we will be stuck with the health care system we have today. The consequences of failure are a very ugly health care reality our system is quickly becoming.

Our health care system has become a gigantic resource-eating machine which over time sucks in more money and yet delivers fewer options and decreased quality care, rising premiums, uncertain coverage, decreased quality.

That is the reality.

The comparison of failing to enact reform is not to the system we have today but to a very ugly destiny we will face relatively soon.

For example, if we do nothing, by 2016 health care premiums are projected to grow to an average of $24,000 per family. Let me repeat, by 2016, $24,000 on average for health care costs per family every year. That is simply unacceptable.

The third simple truth of health care reform is that if you like what you have today, we need health care reform so you can keep it.

We need reform to maintain stable coverage that can't be taken away from you; to maintain stable costs, that will not eat away at your paycheck and will not put coverage out of reach; and to maintain stable quality, so you get the treatment you need, when you need it, and from the doctor you choose.

Only reform keeps and improves on the best of our current system. Failure to act pleads to a catastrophic health care future. I am not exaggerating.

This is where we are. The pressures on the system are building. If we fail to act now, those pressures will cause rising costs, decreased choice, the loss of access to current quality health care and basically worse health care outcomes across the board than we face today.

Let me add some additional statistics and projections.

Health care spending is swallowing up our gross domestic product, GDP. In 2009, health care will account for 18 percent of our GDP.

Eighteen cents of every dollar we spend is dedicated to health care. If we do nothing, this will rise to 28 percent of GDP in 2030 and 34 percent in 2040. This trajectory is unsustainable.

Today, the average premium for family coverage is just over $12,000—an increase of 119 percent in 9 years. As I

said, if we sit by and do nothing, by 2016, a family premium will be estimated to cost at least $24,000—another increase of 83 percent. And in my home State of Delaware, it will be even higher, with a family insurance policy purchased through an employer estimated to cost over $28,000.

Can you imagine paying for that? And that doesn't even include out-of-pocket costs such as deductibles and copayments. When health insurance premiums grow at a rate five times as fast as wages, something has to change.

There also has been an increasing prevalence of medical bankruptcies. A recent study published in the American Journal of Medicine showed that bankruptcies involving medical bills now account for more than 60 percent of U.S. personal bankruptcies, an increase of 50 percent in just 6 years.

In fact, more than 75 percent of families entering bankruptcy because of health care costs actually have health insurance. Most are middle-class, well educated, and own their homes. They just can't keep up with the alarming rise in out-of-pocket costs associated with medical care.

Passing health care reform is important, but not easy. But for the reasons I have mentioned, this year is different. This year, the call for reform is coming from people and organizations that in the past opposed reform.

This year businesses, unions, insurers, provider groups and patient advocacy groups are all looking for reform.

And why is that? Because the growing healh care dollars involved threaten virtually to bankrupt us all. We need reform to stabilize the system.

I think it is important to keep in mind that this is not just about an alarming set of numbers, statistics and cost projections.

Behind all these numbers are real people who need quality and affordable health care, including people who struggle every day to get health care or keep the health insurance they already have.

Let me take just a few minutes to talk about some people from my home State of Delaware and why we need health reform for them, as well as for millions of Americans like them in all parts of the country.

We need health reform because of people such as Angela Austin.

Angela is a recent mother who lives in Dover. She works as a bartender. Most of her earnings come from tips. She doesn't get health insurance through her employer. When Angela became pregnant she tried to find private health insurance, but she was repeatedly denied coverage because her pregnancy was considered a preexisting condition. She applied for Medicaid—to find prenatal care for herself and the baby—but was denied coverage because she earned $200 more than the monthly income limit allowed. She called organizations and clinics and was unable to find a payment plan she could afford.

Midway through her pregnancy, Angela decided to cut back her work hours so she could qualify for Medicaid. Thankfully, Angela was finally able to get services at Christiana Care's Wilmington Hospital, where they provide prenatal care and delivery on a sliding scale for those who can't afford insurance.

She worked all 9 months of the pregnancy and delivered the baby on May 27. The Medicaid coverage was especially crucial because she had complications from hyperthyroidism and was able to get the necessary prescriptions to control the condition.

The sad part of this story is that when Angela was so anxious that everything possible be done to insure a healthy baby, the system threw up road blocks. Pregnancy should not be considered a preexisting condition. What is more, no one should be denied coverage because of a prexisting condition, and no one should be forced to choose poverty to qualify for Medicaid.

We also need health reform for small businessmen such as Ian Kaufman of Georgetown. By the way, Ian is not a relative of mine.

Ian moved to Delaware right out of college in 1990. He was laid off from his job this past January and decided to start a small business. In the process, Ian picked up COBRA coverage to ensure that his family maintained their health care insurance.

When he first signed up for the COBRA coverage, his monthly premium was $1,800. That is a lot of money. Thanks to the COBRA provisions in the Recovery Act, Ian saw his payments reduced by 66 percent—which made his monthly premiums much more manageable.

However, this premium assistance will run out sometime this fall, and he will once again have to pay $1,800 a month.

In anticipation of higher COBRA payments, Ian applied for coverage from Blue Cross and Blue Shield but was turned down. They never gave him a reason for denying him coverage, but he suspects it was because of a pre-existing condition of one of his daughters.

Ian worries that the high cost of providing health care for his family, in addition to the difficulty of even finding a willing policy provider, will affect his ability to stick with his startup business.

Unfortunately, Ian's health insurance predicament as a self-employed businessman is not uncommon. There are too many sole proprietors and small businesses that cannot afford health policies for themselves, their families and any employees they might have. It should not be this way.

But it is not always just a problem of finding private health insurance. We also need health reform for people such as Bonita Sponsler from Dagsboro so they don't slip through the cracks of our existing safety net of Medicaid and Medicare.

Bonita was laid off from her job in March 2007. Three weeks later she suffered a brain aneurysm. Bonita applied for Social Security disability and was awarded benefits, but as with everyone who qualifies for such coverage, she has to wait 2 years before Medicare coverage kicks in.

Meanwhile, Bonita has suffered two additional aneurysms since her initial episode, and it is advised that she receive an arteriogram to monitor her condition. Unfortunately, she can't afford to pay the several thousands of dollars it costs for an arteriogram, so she is taking her chances until she becomes eligible for Medicare in October. This a considerable risk due to her propensity for aneurysms, but it is the only option she can afford. In fact, she has had to cancel a scheduled arteriogram in September because she still would not have coverage by then. It should not be this way.

Finally, we need health reform for people who pile up insurmountable debt, many times due to accidents or injuries they never caused and couldn't avoid.

Without using her name, I want to highlight the situation of a Delaware woman who is a victim of domestic violence.

She suffered major eye damage and has had three surgeries. She has no health insurance and by late 2008 owed almost $30,000 in hospital and anesthesia bills, in addition to $6,000 in personal bills.

She received lost wages from the Violent Crimes Compensation Board. She applied for Medicaid but was turned down. She then applied for Social Security disability but was also turned down as her eye condition was not considered to be permanent and could be repaired with additional surgery.

After waiting many months, she was finally able to get the eye surgery she needed because the doctor who performed the procedure reduced the fee from $12,000 to $3,000 and allowed her to go on a payment plan.

However, she still owes $20,000 to $30,000 for the prior surgeries. She is presently not working and does not have health insurance. She could have had COBRA following the loss of her job, but it was $890 a month and she could not afford it. She presently can see well enough to drive. However, she is due for yet another surgery and the financial arrangements for that will again be extremely difficult if not impossible. It shouldn't be this way.

These stories help to show why we can no longer wait for health reform.

These stories require us to put our differences aside and come together to make certain that Americans have access to affordable, quality health care when they need it.

In my short time in the Senate, I have had the pleasure of presiding over the floor at the President's desk. I have listened to many of my colleagues give good, passionate speeches staking out their position on where we need to go

on health reform. I can truly say I have learned a lot from those speeches, many of which have helped shape my own views on the health reform debate.

That said, I have also heard some speeches that give me cause for concern, as some colleagues seem to have prejudged the legislation before it has even appeared.

I have heard about the dangers of a British or Canadian-style government-run health care system.

I have been warned about rationing and bureaucrats getting between Americans and their doctors.

I have listened to stories about patients from other countries that come here to get care they can't receive in a timely manner back in their own country.

I have heard over and over about a government-run takeover of health care.

I do not doubt the sincerity of my colleagues who see potential pitfalls in health care reform. But when I hear these speeches, I often wonder what legislation they are warning us about.

So far, I have not seen any bill being discussed in committee that calls for a government-run, single-payer system such as Canada or Great Britain.

I have not seen any legislative text that puts restrictions on what treatments doctors can provide or what they can discuss with their patients.

I have not read any language that rations any sort of health care.

I hope that the fears about change in our health care system do not hurt our chances of enacting reform this year.

I hope the debate over the bill is centered around what is actually in the legislation, not extrapolations about provisions in the bill or frightening projections of a health care system in other countries that are not actually being proposed here in Congress.

I hope that as the debate moves forward, all of us in the Senate will step back, take a breath, and remember why we need to reform health care. We are moving quickly toward a health care system that Americans will no longer be able to afford. The system is quickly hurtling out of control.

Yes, we do need to keep what works, and we need to fix what is broken.

We need to make certain that Americans can get affordable health insurance without worrying about preexisting conditions.

We need to help Americans avoid bankruptcy because of out-of-control medical bills.

We need to ensure stability in the system so that Americans maintain insurance options and their choice of doctor.

Most important, we as a country need to take control of our health care destiny. We can have a future in which Americans can have stable coverage, with stable costs and stable quality. Or if we do nothing, we will have a future of rapidly increasing premiums, uncertain coverage and decreased quality.

I urge my colleagues to gather their collective will, realize what is best for our country and do the right thing during this historic opportunity by passing health care reform.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

HEALTH CARE REFORM

Mr. KYL. Mr. President, I wanted to deliver these remarks on the same subject of health care earlier in the week. I had been back home in Arizona during the July recess and had spoken to many of my constituents about the subject. I didn't have the opportunity to address this subject until today. I note that health care is very much on their minds. They have been asking a lot of questions. My constituents have been following the health care debate, and the majority I have spoken with are very much in favor of reform.

I think all of us in this body realize there are things we have to do to lower the cost of health care and ensure everybody has an opportunity to be covered.

I can also tell you they are very concerned about the reforms that have been proposed by the President. They wonder whether they, in fact, will work to their best interests. Cost is an issue that has come up repeatedly when I have spoken with my constituents. They want to know why we have to spend so much money in order to—allegedly—save money and how much it will cost. I tell them it is projected to cost at least a trillion dollars. This is not a fanciful figure; this is what the two bills pending before the Senate are being scored at, meaning that the Congressional Budget Office has said that is about how much they are going to cost. The ultimate price tag could be even higher because in the case of one of the bills, not everything that is going to be in it has already been scored by the CBO, and as to the Finance Committee bill, it is still very much a work in progress.

The usual reaction people have to a trillion dollar-plus health care bill is that they cannot believe we would want to spend that much money or that we can't afford to spend that much. They know already that there are only two ways the Federal Government can pay for such a massive program: one, either borrow more money or, two, impose new taxes or some combination of the two. Naturally, they don't like either alternative.

Most Arizonans think Washington has already borrowed more money than taxpayers can handle, after the President's $1.2 trillion stimulus bill, the $400 billion Omnibus appropriations bill, and the $3.4 trillion, 10-year budget. Now we hear talk about adding an additional trillion dollars on top of that. The folks in Arizona think that is just too much. In fact, by the end of the fiscal year, our publicly held debt will be about 57 percent of our gross domestic product, and deficits of a trillion dollars a year are projected for the next decade. We just got the statistics for the deficit this year. It is already at $1.1 trillion. By the end of the year, it could easily be another half-trillion dollars above that. This will drive the debt to at least 82 percent of the gross domestic product by 2019. To give you an idea of what that means, the GDP is how much money we make as a country. It would be the same as saying that for a family that has an income of $100,000, its credit card debt is $89,000. Try paying off an $89,000 credit card debt on a $100,000 income. The interest payments on the debt will soon make up the single-largest item in our budget. So, obviously, when we talk about spending another trillion dollars we don't have, my constituents are very wary of this. They are wary about the debt, and, to say the least, they don't think it is fair for Washington to pass another trillion-dollar bill, with the costs being transferred to our children and grandchildren—especially after what happened with the stimulus, which has, frankly, included a great deal of waste and obviously has failed to contain unemployment.

A lot of folks have expressed skepticism that spending another trillion dollars is the right way to reduce health care costs. Frankly, I agree with them. Somebody has to pay the trillion dollars. They are also concerned about the new taxes that have been proposed to pay for this because, in fact, part of this trillion dollars is proposed to be paid for through new taxes. There have been all kinds of ideas proposed, such as a tax on beer, soda, juice, and snack food. Those are really small items, but they hit people right where it counts when they go to the grocery store.

There is also a new value-added tax idea. This hits the small business men and women, who are especially concerned because of the new taxes that some are suggesting they should pay—as much as a 10 percentage point increase in the amount of taxes they would have to pay. This is important because, in our economic downturn today, we know it is small businesses that are going to create the jobs that will bring us out of the recession. This would not be just a job killer but an economic growth and recovery killer with that kind of tax imposed on these folks.

My constituents want to know—and, frankly, I want to know—if the President will fulfill his campaign pledge not to raise taxes one single dime on the middle class and whether he will veto any legislation that includes the kinds of taxes of which I am speaking that would fall directly on families. They believe and I believe there ought to be a different way to achieve the health care we want—in other words, without this new round of spending and taxes.

They have heard the President argue in his pitches for Washington to change our health care system that if we spend

all this money on health care now, we will somehow save money later. Americans have some commonsense questions about this claim: How will the government actually do this? Will their health care be rationed? If they are privately insured, will they be able to keep the health care they already have? Eighty-five percent of persons are already insured and are happy with what they have. Yet proposals in the pending legislation would cause many of them to lose that insurance and go onto government programs. That, of course, then raises questions like rationing, as I have discussed many times before.

A Washington-run health care system would likely try to suppress costs by denying or delaying care. Administration officials are already talking about using comparative effectiveness research for this purpose. This is not a fanciful or hypothetical notion. As we know, this is exactly what has happened in countries such as Canada and the United Kingdom, two countries with government-run health care systems. In a ''20/20'' health care segment, they reported that Norwood, Ontario, holds a lottery each week to give one winner a trip to a family doctor. The show filmed the town clerk pulling a name from a box and calling the name of an elated winner. Is that what we want in the United States? The average emergency room wait in Canada is 23 hours—if you are even considered sick enough to be admitted. In Britain, in 2007, the government set a goal to reduce the average wait time to see a physician to fewer than 18 weeks. That is 4½ months waiting to see a doctor. Do Americans want that?

That is how government-run health care works: You make something free and demand soars. To reduce costs, bureaucrats deny or delay treatment or tests or procedures they deem too expensive. The way it works is simple: You set a budget of how much you are going to spend on health care every year. It doesn't matter how sick your folks get; it has to fit within that budget. Think about that for your family. Say you set a budget and you are going to spend no more than $5,000 on health care this year. A good friend of mine in Arizona had an automobile accident; it was very serious. He had to have his spleen removed. He is still in recovery, and it is obviously going to cost a lot of money—more than $5,000. Well, if he set a budget and said that is all he is going to spend, what is he to do? Does he not get the treatment he needs as a result of that accident? You cannot reform health care or reduce costs by rationing care to patients.

One of the things Republicans will insist on is that the way we do the reform doesn't hurt what we already have, which is a system that allows you to get to the emergency room and allows you to see a doctor. You can choose your own doctor. If you have insurance, you get to keep it. We don't want to take care of the few who are unable to get insurance today in a way that requires us to change what everybody else has, if it is already working for them.

It is true that you won't find the words ''ration'' or ''denial'' of care or ''withholding coverage'' in these bills. Obviously, they don't state it that way. But the results are precisely what are required by the policies in the bill. The results are easily masked by all kinds of terminology, but the rules, the forms, the legal obligations, and the provider reimbursement schemes all result in the ability of the government to tell you whether something is going to be covered, whether you and your doctor think it is necessary for your care or not.

I have heard some respond by saying that at least in the Canadian system they may ration care, but everybody has access to a doctor. Not true. The Fraser Institute, a Canadian think tank, released a study this year that found that 1.7 million people—out of a country of 33 million—were unable to see a physician in 2007. That number does not include those who have a doctor but are on a waiting list.

As I said earlier, many of my constituents also worry about losing their current coverage if a new Washington-run health care system is implemented. True, they have heard the President say repeatedly that if you have health insurance, you get to keep it. But they have also heard the other side of the story, and I have read at least one of the bills—in fact, there are two specific provisions—that render this statement untrue—that if you have health insurance, you get to keep it. Not true. The Congressional Budget Office has estimated that just part of one of the proposed plans shows that millions of people would lose their existing coverage and be told to enroll in government health care. The Lewin study specifically mentioned 119 million people who would be shifted from their current employer-provided coverage onto the government plan.

Many of my constituents also want to know if the President would veto legislation that has the potential to cause Americans to lose the private insurance they currently enjoy.

There is a final concern, and this concerns me. It goes to America's seniors. We have made some very strong commitments to our seniors through the Medicare Program. Our seniors obviously are more susceptible to needing health care. They have a greater number of health concerns than younger Americans. And we have said to them: We will, through Medicare, ensure that your health concerns will be taken care of. They are obviously very concerned about rationing if Medicare were somehow to be cut in order to raise money to solve the problem for others in our society. That is precisely what at least one of these bills proposes to do—cut Medicare and take that money and apply it to the new costs that we are going to be incurring as a result of this so-called health care reform.

Seniors are worried these cuts in Medicare will adversely affect their ability to get care. They also fret that adding the 47 million uninsured Americans—which would be just for starters—to health insurance rolls, including government insurance rolls, would impact the care they now receive by crowding the system. In other words, leading to wait times, rationing for them or even potentially denial of care. We must not implement a new health care system that would suddenly erode the quality of care for Medicare beneficiaries.

My constituents want high-quality, patient-centered health care. Most already have good health insurance for themselves. They are concerned about its cost. They are also concerned that there are some who need to be insured who are not. But what they want to hear are fresh new ideas about how to achieve this result without, in effect, throwing the baby out with the bathwater; without adversely affecting the system that currently takes care of them, whether it is seniors being cared for in Medicare or it is the vast majority of Americans who are already insured and like the insurance they have. They do not want us to rush a costly new plan through the Congress.

I think the President was correct when he said: If we don't do this quickly, we might not do it at all. Well, what did he mean by that? In effect, what he was saying is that if the American people have a long enough time to study and debate exactly what is being proposed, they may not like what they see. I think that is exactly what is happening here.

There is a bill that is going to be marked up next week in the House of Representatives, and I don't think the American people are going to like what they see in that bill. We have a bill that has been marked up in the HELP Committee in the Senate, and much of my criticisms go to that particular bill. There is one section in that bill, for example, that spends $400 billion over 7 years to subsidize health care for families making between $66,000 a year and 80,000-some dollars a year. Is that what we want to cut Medicare to pay for?

As I said, the more Americans understand the details of these bills, the more questions I think they are going to ask. We owe it to our constituents to allow them the time to understand it and to ask us those questions. I want to be able to go back to Arizona and say: All right, here are the three bills—or two bills or however many there are—and here is what they do. Do you like it or not? If not, how would you change it? We need the time and the ability to get the reaction from our constituents if we are going to be true to our position as representatives of the people.

So when the President says: If we don't do this quickly, we might not do it at all, he is probably right. But it is better to get it right; to take our time

to do it right and not make mistakes, than to rush something through that is going to add $1 trillion in new spending; that is going to potentially impact the coverage we already have, potentially impact Medicare for our seniors and perhaps not achieve the results we want. This is one of the most important things this Congress—the American Congress—will have done in years. It is complicated, it is hard, and we have to get it right.

One of the first things a physician learns in medical school, when confronting a patient to see what is wrong with that patient and to begin the treatment, is to, first, do no harm. It is possible to do harm to a patient. So the physician, first of all, is admonished: The body is a wonderful thing, it recovers pretty well; don't do anything to harm. The same thing is true with our economy and with the policies with respect to health care. There are a lot of good things being done in health care—physicians are working very hard to take good care of us, most people have good insurance, seniors rely on Medicare. Let's not do harm to what we have in order to take a small segment of our population and make sure they can get insurance.

That is the primary position we are taking when we say: Let's don't rush this. Let's do it right. At the end of the day, we can all be proud of the fact that we have reformed our health care system to reduce, not increase, some of the expenses and to ensure that those who don't have insurance can, in fact, be covered.

I said I wished to give these remarks earlier in the week, having talked with a lot of my constituents in Arizona. I also wished, toward the end of this week, to comment on the President's trip to Russia. He is going to be returning home soon, and his trip to Russia produced some very important announcements, which I wished to discuss today.

PRESIDENT OBAMA'S VISIT TO RUSSIA

I am going to switch subjects now and discuss the President's trip to Moscow and his summit with the President of Russia.

The most significant object of that summit, as we know, was the discussion of further strategic arms reductions. I personally believe it is important that the verification and confidence-building measures of the 1991 START agreement not expire without some measure to continue them, possibly including a legally binding replacement treaty. I know that is one of the purposes of the President's visit. But I am also cognizant of the fact that a follow-on to the 1991 START agreement does not address the most current threats to the United States and the West; namely, those posed by nuclear proliferation and nuclear terrorism. The two subjects are barely related.

For example, the threat from Iran and the history of Russian support for the Iranian nuclear weapons and ballistic missile program is well known. It is probably even going on today. This should have been at the top of the President's agenda with Russia, if, in fact, he is going to address the threats that are most currently before us, rather than a decades-old arms control agreement with Russia.

Additionally, there is the ongoing nuclear weapon ambitions of North Korea. Some press reports suggest it may be sharing its technology with countries such as Syria and Burma. Given the well-known willingness of these rogue states—and I speak of North Korea and Iran—to support terrorism, their unchecked nuclear ambitions will surely hasten the day when terrorists are able to acquire nuclear weapons. I believe nuclear proliferation and nuclear terrorism are the greatest threats to our Nation today, and we should be focused much more on those threats, as I said, than going back and negotiating an arms control agreement with Russia, which obviously is not a current threat to the United States.

The main focus of the President's trip when he was in Moscow appears to have been on the subject of a strategic arms reduction treaty with Russia. That being the case, the Senate has a great responsibility—if the administration seeks our advice and consent by submitting the treaty to us for ratification—to understand what the proposal is and to provide our advice to the President before it is negotiated and, if appropriate, our consent to ratify. Obviously, the Constitution requires this process of advise and consent when it comes to treaty making.

Here are some of the questions I think we need to answer. First of all, what does the United States get from such a new treaty when it appears that the Russians are on their way to reaching the levels of weaponry announced without a treaty? They are going to do it anyway.

Second, why has the United States bent to Russian demands to take tactical nuclear weapons off the table when the Russians have a 10-to-1 advantage in tactical nuclear weapons over the United States and have openly talked in their military doctrine about using tactical nuclear weapons in conflict?

How will the administration provide for the modernization of U.S. nuclear forces, including the warheads and the complex of infrastructure that sustains them and the nuclear weapons delivery systems, the bombers and the missiles and submarines that must accompany any START ratification process? That is perhaps the most critical question of all.

A number of these questions and recommended courses of action have recently been articulated by some of this country's leading experts on arms control and nonproliferation policy, including Ambassador James Woolsey, Dr. Fred Ikle, Ambassador John Bolton, and many others.

Mr. President, I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, a document entitled ''U.S.-Russian START Renewal Negotiations: Guidelines to Protect U.S. Interests.''

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

(See exhibit 1.)

Mr. KYL. I thank the Chair.

I also urge my colleagues to study materials recently released by the New Deterrent Working Group involved with the Center for Security Policy, a respected think tank here in Washington, that has studied these issues for years; and also a very objective and important guide for how we should approach our thinking on these negotiations from the Hudson Institute. These are outstanding compilations of expert opinions for Senators to familiarize themselves with as we head into a treaty ratification process. They are too lengthy to insert in the RECORD, but I am happy to provide these papers to any of my colleagues who would like to read them.

Another important question concerns missile defense. Just before the summit, it appeared the White House was taking a strong line in refusing to accept Russian demands to link missile defenses with a follow-on treaty. The Russians have said: We are not even going to talk about the START numbers unless we can also talk about U.S. missile defense. The Russians don't like it. They would like to have us put some limitations on that. The administration recognized not only should there be no constraint on the development of missile defenses, but, moreover, any treaty—any treaty—that limits U.S. missile defenses would be dead on arrival in the Senate if we tied the two subjects together.

This past week, I joined Senators WICKER, JOHANNS, MCCAIN, HATCH, LIEBERMAN, BEN NELSON, and BEGICH in sending a letter to the President in which we confirmed that ''linking missile defense plans to offensive force negotiations runs contrary to American strategic interests and would undermine our security.''

Mr. President, I ask unanimous consent to have printed in the RECORD the letter to which I just referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, July 2, 2009.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: In anticipation of your upcoming visit to the Russian Federation, we write to express our concern about recent comments by Russian leaders suggesting limitations on U.S. missile defense plans in Europe as a prerequisite for agreeing to a successor to the Strategic Arms Reduction Treaty (START). We urge you to not combine discussions about U.S. missile defense efforts and the ongoing START negotiations.

Speaking on May 20, Russian Foreign Minister Sergey Lavrov said that an agreement on a START replacement would be ''impossible . . . without taking into account the

situation in the missile defense sphere.'' Russian President Dmitry Medvedev also noted during an April speech that ''(a)nother aspect of security is the relationship between offensive and defensive weapons.'' Prime Minister Vladimir Putin likewise suggested a quid pro quo between START and missile defense during a visit to Japan on May 10, when he said that ''Russia will link missile defense to strategic offensive armaments.''

We feel strongly that linking missile defense plans to offensive force negotiations in this way runs contrary to America's strategic interests and would undermine our security. As you have noted, the planned European missile defense system is limited in scope to defend the United States and its allies against the rising threat posed by Iranian long-range ballistic missiles, but it poses no threat to Russia's strategic missiles.

We support your determination to bring into force a follow-on agreement to START prior to its lapse on December 5th of this year. However, we will be reluctant to support any agreement that is explicitly conditioned on U.S. abandonment of missile defenses in Europe or otherwise linked to a U.S. decision to curtail or abandon those defenses.

Given that negotiations for a follow-on treaty to START are being conducted on a relatively short timeline, we believe that the paramount goal this year is to ensure that the verification and confidence building measures from the 1991 START treaty do not lapse.

The United States and the Russian Federation will need to find ways to cooperate on many issues in the coming years and we hope that your representatives bear in mind the broader strategic context in which these negotiations with Moscow are taking place.

Sincerely,

James M. Inhofe, Joseph I. Lieberman, Jon Kyl, Ben Nelson, John S. McCain, Mark Begich, Jeff Sessions, Mike Johanns, Roger Wicker, Orrin Hatch, United States Senators.

Mr. KYL. Notwithstanding what I have said, buried in the joint understanding—which has now been made public—reached by President Obama and Medvedev is inclusion of the following language suggesting an accession to the Russian demand to include missile defense in the follow-on treaty:

A provision on the interrelationships of strategic offensive and strategic defensive arms.

I ask unanimous consent that the text of the Joint Understanding be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. KYL. This last statement is a dangerous connection to make and one the administration must not negotiate. U.S. missile defenses exist to protect against ballistic missile threats by rogue regimes and the threat of accidental or unauthorized launches. They are not about Russia. Consequently, we should not allow Russia to attempt to limit our defenses, and that is what I fear these words from the Joint Understanding may allow to occur. Such a linkage in the START agreement will be rejected by Members of the Senate.

I would also like to call attention to a curious statement by the President which was quoted in this past Sunday's New York Times:

It's naive for us to think that we can grow our nuclear stockpiles, the Russians continue to grow their nuclear stockpiles, and our allies grow their nuclear stockpiles, and that in that environment we're going to be able to pressure countries like Iran and North Korea not to pursue nuclear weapons themselves.

The fact is, the United States has not been growing or even modernizing its nuclear stockpile. Why did the President make such a false statement? Yes, the Russians are growing theirs, at least modernizing it. Britain and France are modernizing their stockpiles, though not growing them, as far as I have seen in the press. India, Pakistan, and North Korea are all growing their stockpiles; and, of course, we are all familiar with Iran's actions. All of this has occurred in the absence of the United States growing its stockpile. What the President said is not true. In fact, it has all occurred while the United States has undertaken substantial nuclear force reductions. We haven't modernized our nuclear weapons, and we haven't conducted an underground nuclear test for 17 years. One would think this history would put to rest the naive assumption that the U.S. movement toward disarmament will be reciprocated by other nations, including those that threaten our national security.

I would also like to submit for the RECORD a Wall Street Journal op-ed written by Steve Rademaker, former Assistant Secretary of State for International Security and Nonproliferation in the last administration. I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks that letter.

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

(See exhibit 3.)

Mr. KYL. Mr. Rademaker correctly observes:

The critics are not impressed that by 2012 the U.S. will have reduced its deployed strategic warheads by 80 percent. They will not be satisfied if the U.S. reduces by 99 percent. So long as there is one nuclear weapon remaining in the U.S. inventory, he says, they will point to this as the root cause of nuclear proliferation.

As I indicated a few moments ago, there are real concerns facing the Senate at this time as we consider the START follow-on treaty. It is imperative that the President understand the true situation as he negotiates with his Russian counterparts.

This is all the more important as we begin to understand the highly significant reductions the administration apparently wants to negotiate in a follow-on agreement. According to the Joint Understanding from which I quoted before, the President plans to reach an agreement that represents a significant departure from current force levels.

I note that the 1,700 to 2,200 deployed strategic nuclear force level—actually on the high end of that range—was considered the minimum force level required for deterrence and assurance just last year when the Departments of Energy and Defense issued an unclassified white paper, ''National Security and Nuclear Weapons in the 21st Century.''

Given yesterday's announcement, I am curious to understand how estimates of necessary force levels could have changed so dramatically in the 10 months since that paper was issued. I am also very concerned about the implications for our triad and for our conventional arms modernization, if we lock in a launcher limit at anything close to 500.

The triad is the combination of our strategic bomber force, our intercontinental ballistic missiles based on land in silos, and ICBMs in submarines. Those are the three parts of our strategic triad. If we were to reduce the numbers as dramatically low as this paper would indicate, it is very clear the triad would be jeopardized; that is to say, not all elements of it would have the weaponry to be part of our strategic deterrent.

Moreover, these numbers would suggest that parts of this triad can be used for conventional purposes. Bombers can drop high explosive bombs. They don't just drop nuclear weapons. A missile—we have a lot of cruise missiles that send high-explosive warheads to their destination. It doesn't have to be a nuclear warhead. If we reduce the number of delivery systems down below a certain level, we not only impact our strategic nuclear deterrent but also our conventional deterrent and conventional capability.

This may be very advantageous for Russia. In fact, Russia is headed to a low level anyway because of their economy. But I believe it is a grave risk for the United States and our allies. I think these are issues that will warrant the highest level of scrutiny by the Senate. We can't be rushed in our work. These are very important existential questions.

I note that the Senate had over 425 days between the signature on the START I agreement and the eventual ratification of that treaty. There were 1,119 days between the signing and ratification of START II. And the Chemical Weapons Convention allowed the Senate 1,563 days of review, deliberation, and debate. The last successful arms control treaty with the Russians, the Strategic Offensive Reductions Treaty, or SORT, permitted the Senate 287 days to review.

I say again, there is no need for a rush. As the Wall Street Journal reported yesterday, July 8:

The White House Coordinator for Weapons of Mass Destruction, Security and Arms Control, Gary Samore, said on Sunday that the Administration may have to enact certain provisions of a treaty by executive order and on a 'provisional basis' to meet the December deadline.

Clearly, there are options available to ensure that the Senate has all the time it needs to thoughtfully consider a treaty and to make sure a nuclear weapons modernization program is in place and funded before the Senate proceeds to ratification of the START follow-on.

Mr. President, according to press reports, Russian President Medvedev has indicated that his nation would like to reduce the number of strategic launchers several times below the number currently permitted under START. This is reflected in the launcher limits outlined in the Joint Understanding.

This sounds good, but it is unclear that Russia is actually giving anything up.

In recent testimony before the House Committee on Foreign Affairs, Dr. Keith Payne, a former official of the Defense Department and a member of the bipartisan Congressional Commission on the Strategic Posture, cautioned ''We should be very careful about moving toward lower launcher numbers because it would provide significant advantages for the Russian Federation, but significant disadvantages for U.S. strategy.''

As Dr. Payne noted in his testimony, Russia's strategic ICBMs, SLBMs and bombers will drop dramatically with or without a new arms control agreement.

Specifically, Dr. Payne stated: ''within 8 or 9 years, the number of Russian strategic launchers will have dropped from approximately 680 launchers (some of which already are not operational) to approximately 270 launchers simply as a result of aging of their systems and the pace of their modernization program. In contrast, the service life of existing U.S. systems extends several decades.''

Dr. Payne continues: ''Despite spending up to 25% of the Russian military budget on the strategic forces, Russia's strategic nuclear forces will decline steeply with or without arms control.''

Consequently, Russia isn't giving up anything by agreeing to these reductions. At the same time, reductions in delivery vehicles could have consequences for the U.S., in terms of prompt global strike capabilities nd conventional strike modernization.

Dr. Payne also wrote about these facts in a recent Wall Street Journal piece, and I ask unanimous consent to print it in the RECORD as well.

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

(See exhibit 4.)

Mr. KYL. Additionally, in order to get a follow-on START agreement with Russia—one that appears to be much more to Russia's advantage than ours—we have also decided we will not seek to get the Russians to give up a very real advantage they possess: their tactical nuclear weapons, also known as nonstrategic nuclear weapons.

While the United States and Russia have a rough equivalence in their strategic nuclear weapons, there is a significant imbalance in tactical nuclear weapons that favors Russia.

This imbalance is exacerbated by the fact that Russia maintains an active nuclear weapons production complex, while the United States does not.

According to the recently concluded report of the bipartisan Perry-Schlesinger Commission, there is a growing asymmetry between United States and Russian nuclear weapons capabilities thanks to a longstanding problem whereby the Russian Federation has maintained far greater numbers of tactical nuclear weapons than the United States.

According to the commission, the Russians have approximately 3,800 of these weapons, while the United States has only a few hundred.

And according to a recent CRS report, the Russians may have as many as 8,000.

Despite this asymmetry, we are told that the forthcoming START follow-on will not deal with Russian tactical nuclear weapons, at Russian demand.

Yet, it is clear that our allies who rely on our extended deterrent are increasingly concerned.

For example, the Perry-Schlesinger report stated: ''The combination of new warhead designs, the estimated production capability for new nuclear warheads, and precision delivery systems such as the Iskander short-range tactical ballistic missile (known as the SS–26 in the West), open up new possibilities for Russian efforts to threaten to use nuclear weapons to influence regional conflicts.''

And according to that report, ''The United States should not cede to Russia a posture of superiority in the name of deemphasizing nuclear weapons in U.S. military strategy. There seems no near-term prospect of such a result in the balance of operationally deployed strategic nuclear weapons. But that balance does not exist in nonstrategic nuclear forces, where Russia enjoys a sizeable numerical advantage. As noted above, it stores thousands of these weapons in apparent support of possible military operations west of the Urals. The United States deploys a small fraction of that number in support of nuclear sharing agreements in NATO. Precise numbers for the U.S. deployments are classified but their total is only about five percent of the total at the height of the Cold War. Strict U.S.-Russian equivalence in NSNF numbers is unnecessary. But the current imbalance is stark and worrisome to some U.S. allies in Central Europe. If and as reductions continue in the number of operationally deployed strategic nuclear weapons, this imbalance will become more apparent and allies less assured.''

It is therefore inexplicable to me that we will not be negotiating with the Russians about reductions in those nuclear forces.

Moreover, I am concerned by suggestions that discussions of these forces will have to wait for the ''next treaty'' which may not ever arrive. In the meantime, this follow-on agreement may lock in a significant disadvantage for the United States and our allies.

In recent months, it has become clear that the state of our nuclear deterrent is in need of serious attention.

As high an authority as Secretary of Defense Robert Gates warned: ''At a certain point, it will become impossible to keep extending the life of our arsenal, especially in light of our testing moratorium. It also makes it harder to reduce existing stockpiles, because eventually we won't have as much confidence in the efficacy of the weapons we do have.''

Secretary Gates continued this argument when he said: ''To be blunt, there is absolutely no way we can maintain a credible deterrent and reduce the number of weapons in our stockpile without either resorting to testing our stockpile or pursuing a modernization program.''

This is a statement of significant import. Secretary Gates has warned that without a modernization program, such as the Reliable Replacement Warhead RRW, which Congress rejected during the last administration, we will be unable to reduce the number of weapons we maintain.

In fact, we are not even certain we can modernize without testing, but we would be a lot closer to knowing the answer to that question if Congress had approved the RRW studies.

As the Perry-Schlesinger Commission noted, our nuclear weapons and their delivery platforms are long overdue for a needed modernization program and will continue to experience safety, reliability and credibility problems until that modernization is in place.

In fact, even in its Interim Report, the commission stated: ''High confidence in stockpile reliability not only is important for maintaining deterrence, it is also vital for making substantial reductions in the size of our stockpile.''

Thus, it should not be surprising that the commission made the following findings and recommendations that are of such importance that I want to read them into the Record in their entirety:

i. For the indefinite future, the United States must maintain a viable nuclear deterrent. The other NPT- recognized nuclear-weapon states have put in place comprehensive programs to modernize their forces to meet new international circumstances.

ii. The Stockpile Stewardship Program has had some remarkable achievements. But in recent years, the level of funding provided to support these safeguards has been inadequate.

iii. The Life Extension Program has to date been effective in dealing with the problem of modernizing the arsenal. But it is becoming increasingly difficult to continue within the constraints of a rigid adherence to original materials and design as the stockpile continues to age.

iv. As the reductions have proceeded over the period since the end of the Cold War, the potential to deal with technical surprise has been reduced, as the diversity of types of weapons in the stockpile has shrunk.

v. The infrastructure that supports two thirds of the strategic deterrent triad—the SLBMs and ICBMs is not being sustained.

Mr. President, it is clear that not only is a modernization program for our nuclear weapons, the complex that supports it, and the delivery systems associated with it long overdue, it is also inextricably linked to safely reducing our nuclear arsenal further and must be considered by the Senate simultaneously to, if not before, the START follow-on is submitted.

Such a modernization program should take into account issues raised by the Nuclear Weapons Council in its December 24, 2008, letter to the NNSA administrator.

I ask unanimous consent to print the letter in the RECORD at the conclusion of my remarks.

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

(See exhibit 5.)

Mr. KYL. It should also take into account the commission's recommendations, which noted that as long as modernization takes place within current policies regarding testing and military characteristics, there should be no political controversy.

The administration should request a modernization program that in its first year includes: increases to stockpile surveillance; LEP studies for W76 and B61 that add safety, reliability and credibility; increases to directed stockpile work; certification and safety at the Nevada Test Site; accelerated funding of the Los Alamos CMRR facility and the Y–12 UPF; and, increases to advanced computing platform and code work.

Mr. President, lastly, I wish to discuss an important but so far overlooked component of the pending arms control discussions, namely Russia's history of violating its obligations.

The unclassified version of the 2005 State Department Report on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments makes clear, and not for the first time, that Russia has not lived up to all of its agreements under the 1991 START agreement.

Dr. Payne noted this in his recent testimony, and I quote, ''in my opinion, the most important of these violations has been discussed openly in Russian publications. It is the Russian testing of the SS–27 ICBM with MIRVs in direct violation of START. The SS–27 is listed as a single-warhead ICBM and can only be tested and deployed with a single warhead under START. Russian Sources place the number of MIRVs on this forthcoming missile at 4 or more.''

These are not the only such issues regarding the Russians compliance with START. I ask unanimous consent that the START section of the unclassified Compliance Report be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 6.)

Mr. KYL. Additionally, the Commission on the Strategic Posture noted that the Russians are in violation of their commitments concerning tactical nuclear weapons under the 1990–91 Presidential Nuclear Initiatives.

I remind my colleagues these are the same tactical nuclear weapons that Russia refuses to discuss in the follow-on treaty, a demand the administration seems to have accepted.

Clearly, if the United States is going to negotiate a successor to the 1991 START agreement with the Russians, we must have a way to reconcile past compliance failures and ensure that future violations, if any, are resolved in a timely manner.

As I have articulated, there are significant issues that the Senate will have to follow closely and scrutinize as a part of the process of advice and consent.

This is a two-way process of consultation between the administration and the Senate.

I remind my colleagues and the administration, it is more important that this be done right than quickly.

Arrangements can be made to ensure that the provisions of START that enjoy almost universal support in this body do not expire, as administration officials have freely admitted.

I urge the administration to continue consulting regularly with the Senate, including the National Security Working Group that I cochair with my colleague from West Virginia, Senator BYRD.

I yield the floor.

EXHIBIT 1

U.S.-RUSSIAN START RENEWAL NEGOTIATIONS—GUIDELINES TO PROTECT U.S. INTERESTS

Recognize that the U.S. nuclear deterrent force is a key element in the defense of the United States and of our allies and friends.

U.S. nuclear umbrella is crucial non-proliferation tool. The U.S. nuclear umbrella is perhaps the most important nonproliferation tool we possess, as many of our allies and friends rely on our deterrent force. Absent a U.S. nuclear deterrent seen to be credible, effective and safe, those nations would have to consider developing their own nuclear weapons.

Analyze first, then negotiate. The U.S. Defense Department should complete a proper Nuclear Posture Review, as mandated by Congress, before the U.S. concludes a new treaty with Russia on further nuclear weapons reductions.

Limit Russian advantage in ''tactical'' nuclear weapons—A new U.S.-Russian agreement should aim to reduce the current Russian superiority over the U.S. in numbers of ''tactical'' nuclear weapons. Russia has approximately ten times the number of such weapons in the U.S. arsenal.

Address before U.S. leverage shrinks—The U.S. will have less leverage to address this issue once a START renewal agreement has been concluded.

Recognize the significance of Russia's large advantage in ''tactical'' nuclear weapons. The distinction between strategic and tactical nuclear weapons is an artifact of the Cold War that facilitated arms control agreements on very high levels of nuclear forces.

Today, the size of nuclear arsenals is much smaller and the importance of large numbers of smaller-yield weapons is much greater.

To U.S. allies and friends, all nuclear weapons are strategic.

An agreement that preserves the large imbalance in total numbers of deployed nuclear weapons in Russia's favor will, over time, affect the views of U.S. allies and friends on the reliability of the U.S. nuclear umbrella.

U.S. policy for decades—in administrations of both parties—has been to maintain a nuclear capability second to none. That policy would be undermined by an agreement that further reduces strategic weapons while leaving so-called non-strategic weapons unlimited.

Recognize existence of risks in strategic reductions below current levels—There is no compelling reason for the U.S. and Russia to reduce deployed strategic nuclear warheads below the current range of 1700–2200, as set in the Strategic Offensive Reductions Treaty (SORT). This level of offensive strategic nuclear arms, the lowest in decades, was based on analysis that took into account the dangers and uncertainties of the security environment. Quickly reducing to an arbitrary number like 1500, does not take into account these risks.

Don't pay for what's free—According to credible Russian sources, Russia's strategic nuclear weapons will be reduced by approximately 60% over the next decade in any event—with or without a START renewal treaty—due to the aging or planned modernization of systems. The United States should not make concessions for the purpose of inducing Russia to make reductions that will occur anyway.

Certain reductions may be harmful—Whether a reduction below the 1700–2200 range is prudent depends on a number of considerations, especially preserving deterrence and taking account of all potential adversaries.

Preserve deterrence and extended deterrence—Any reductions should allow the U.S. to preserve not only deterrence of threats directly against the U.S. but also extended deterrence—for allies and partners who depend on the U.S. to deter potential nuclear aggressors.

Effect on triad—In particular, any reductions should allow the U.S. to maintain a robust nuclear triad of land-based, sea-based and bomber-delivered weapons.

Importance of triad—It is important to maintain the triad, lest the survivability and flexibility of the U.S. strategic posture be undermined.

Consider all potential adversaries—In assessing the sufficiency of the U.S. deterrent, the potential nuclear capabilities of all possible adversaries of the U.S. and of allies and partners who depend on that deterrent should be considered, not just the capabilities of Russia.

Don't incentivize proliferation—The U.S. nuclear posture should not be constrained to the point that other current or potential nuclear powers come to believe they can create a nuclear arsenal that would give them significant strategic leverage against the U.S.

In any case, exercise caution in limiting delivery systems—In the interest of stability and flexibility, the U.S. should not agree to reduce the number of delivery systems in a way that would increase the vulnerability of our deterrent (including our extended deterrent that protects U.S. allies and partners).

Don't incentivize MIRVs—For the same reasons, a new agreement should not restrain or penalize ''de-MIRVing''—that is, converting multiple-warhead missiles into single-warhead missiles.

Severe limits on the number of delivery systems create pressure for the parties to arm missiles with multiple warheads.

Preserve U.S. ability to modernize for safety and reliability—Any agreement should preserve the right of the U.S. to develop new warheads to be able to react to unforeseen circumstances.

A crucial requirement: A comprehensive modernization plan—The Senate should not consent to any treaty until the Administration has proposed to Congress a satisfactory, comprehensive modernization plan that fulfills the modernization recommendations of the bipartisan Congressional Commission on the Strategic Posture of the United States, especially the maintenance of a safe, reliable and credible U.S. nuclear deterrent, including an extended deterrent for the protection of U.S. allies and partners.

Don't constrain missile defense—A new U.S.-Russian arms control agreement should not constrain the U.S. ability to develop and deploy missile defenses.

Don't constrain advanced conventional weapons—A new U.S.-Russian agreement should not constrain or penalize (1) U.S. development of advanced conventional—that is, non-nuclear weapons, including those capable of strategic strike, or (2) U.S. deployment of such weapons to replace nuclear weapons.

Take account of unpredictability of technology developments—We cannot now predict what conventional weapons developments may be possible.

Consider effects on programs of the future—Thus, the effect of a given treaty limitation cannot be measured only by how it would impact programs already on the books.

Address Russian compliance problems—Devise a mechanism that ensures treaty violations are investigated and parties to an agreement adhere to their obligations.

From the outset, the Russians have failed to comply fully with their obligations.

For example, according to an August 2005 U.S. State Department report, Russia has prevented U.S. inspectors from verifying warhead limits on certain ICBMs.

Update START verification—A key U.S. objective in an agreement with Russia should be to update START verification provisions to take account of new circumstances and fix problems.

Verification regime extendable—Obama administration officials have a sense of urgency because the START Treaty expires in December 2009 and they want to ensure that the treaty's verification regime does not lapse. But the US and Russia can agree to extend the verification regime without having to rush to reach agreement on further weapons reductions.

Endorsed by:

John Bolton, Ambassador to United Nations, Under Secretary of State for Arms Control and International Security (G.W. Bush);

Seth Cropsey, Deputy Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (G.H.W. Bush);

Jack David, Deputy Assistant Secretary of Defense for Combating Weapons of Mass Destruction and Negotiations Policy (G.W. Bush);

Paula DeSutter, Assistant Secretary of State for Verification, Compliance and Implementation (G.W. Bush);

Michael M. Dunn, Lieutenant General, U.S.A.F. (ret.); President, National Defense University;

Eric Edelman, Under Secretary of Defense for Policy (G.W. Bush)

Douglas J. Feith, Under Secretary of Defense for Policy (G.W. Bush);

Fred C. Iklé, Under Secretary of Defense for Policy (Reagan); Director, Arms Control and Disarmament Agency (Ford);

Robert Joseph, Under Secretary of State for Arms Control and International Security (G.W. Bush);

Stephen Rademaker, Assistant Secretary of State for International Security and Nonproliferation (G.W. Bush);

Abram N. Shulsky, Director, Strategic Arms Control Policy, Office of Secretary of Defense; Secretary of Defense Representative to Defense and Space Talks (Reagan);

James Woolsey, Director, Central Intelligence Agency (Clinton).

EXHIBIT 2

JOINT UNDERSTANDING

The President of the United States of America and the President of the Russian Federation have decided on further reductions and limitations of their nations' strategic offensive arms and on concluding at an early date a new legally binding agreement to replace the current START Treaty, and directed that the new treaty contain, inter alia, the following elements:

1. A provision to the effect that each Party will reduce and limit its strategic offensive arms so that seven years after entry into force of the treaty and thereafter, the limits will be in the range of 500–1100 for strategic delivery vehicles, and in the range of 1500–1675 for their associated warheads.

The specific numbers to be recorded in the treaty for these limits will be agreed through further negotiations.

2. Provisions for calculating these limits.

3. Provisions on definitions, data exchanges, notifications, eliminations, inspections and verification procedures, as well as confidence building and transparency measures, as adapted, simplified, and made less costly, as appropriate, in comparison to the START Treaty.

4. A provision to the effect that each Party will determine for itself the composition and structure of its strategic offensive arms.

5. A provision on the interrelationship of strategic offensive and strategic defensive arms.

6. A provision on the impact of intercontinental ballistic missiles and submarine-launched ballistic missiles in a non-nuclear configuration on strategic stability.

7. A provision on basing strategic offensive arms exclusively on the national territory of each Party.

8. Establishment of an implementation body to resolve questions related to treaty implementation.

9. A provision to the effect that the treaty will not apply to existing patterns of cooperation in the area of strategic offensive arms between a Party and a third state.

10. A duration of the treaty of ten years, unless it is superseded before that time by a subsequent treaty on the reduction of strategic offensive arms.

The Presidents direct their negotiators to finish their work on the treaty at an early date so that they may sign and submit it for ratification in their respective countries.

Signed at Moscow, this sixth day of July, 2009, in duplicate, in the English and Russian languages.

FOR THE UNITED STATES OF AMERICA:

FOR THE RUSSIAN FEDERATION:

EXHIBIT 3

[From the Wall Street Journal, May 7, 2007]

BLAME AMERICA FIRST

(By Stephen Rademaker)

Two groups with diametrically opposed agendas have for years argued that the likes of Iran and North Korea will not be deterred in their quest for nuclear weapons so long as the U.S. and the other nuclear powers are ignoring their obligation under the Nuclear Nonproliferation Treaty (NPT) to give up their nuclear arsenals. Apologists for the proliferators, who care not at all about nuclear disarmament, and arms control activists, to whom there is no higher priority than nuclear disarmament, have long agreed about this and little else.

Jimmy Carter spoke for the latter group when he wrote, in an op-ed in the Washington Post a while back, ''The United States is the major culprit in this erosion of the NPT.'' The key to ending nuclear proliferation, according to Mr. Carter and the many others who share this point of view, is for the U.S. to demonstrate leadership by moving decisively to eliminate its nuclear weapons. This perspective is likely to be heard more frequently as international efforts to constrain the nuclear ambitions of Iran and North Korea appear to falter.

There are, however, two basic flaws in the suggestion that nuclear proliferation is rooted in U.S. nuclear policy. First, the reasons why Iran, North Korea and other would-be proliferators seek nuclear weapons have nothing to do with Washington's nuclear policy. Second, the claim that the U.S. is disregarding its legal obligations under the NPT does not withstand scrutiny.

To recognize that the motivations of today's nuclear proliferators have nothing to do with U.S. nuclear policy, it is necessary only to consider one question: Would Iran's Mahmoud Ahmadinejad or North Korea's Kim Jong Il be any less interested in having nuclear weapons if the U.S. gave up its nuclear weapons? In both cases, the answer is clearly no.

President Ahmadinejad, by his own statements, is bent on dominating the Middle East and destroying the state of Israel. Nuclear weapons afford a shortcut to the realization of these objectives and therefore the Iranian regime wants them. Whether or not the U.S. has nuclear weapons is irrelevant to this calculus. Mr. Ahmadinejad may occasionally find it a convenient talking point to draw comparisons with the nuclear programs of other countries, but there is little doubt his policy would be the same even in the absence of that talking point.

In the case of North Korea, the pursuit of nuclear weapons appears to stem from Kim Jong Il's hunger for prestige and power. All indications are that Kim would be even more interested in having nuclear weapons if he thought he could be the only leader on Earth to possess them.

Those who argue that the U.S. has disregarded its nuclear disarmament obligations under the NPT are quick to make categorical assertions about the treaty's requirements, but almost never quote the pertinent language of the NPT, for the simple reason that it provides no support for their claims. The key provision, Article VI of the treaty, consists of only one sentence: ''Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control.''

It is impossible to discern from this language a binding legal obligation on the U.S. and the other four nuclear-weapon states to give up nuclear weapons. The operative legal requirement is to ''pursue negotiations in good faith on effective measures relating . . . to nuclear disarmament. . . .''

The U.S. has not only negotiated on such matters for more than three decades, but it has signed and implemented a series of arms control agreements beginning in 1972 that have ended the nuclear arms race and substantially reduced the U.S. nuclear inventory. When the latest arms control agreement with Russia expires in 2012, the U.S.

will have reduced by about 80% the number of strategic nuclear warheads deployed at the height of the Cold War.

Significantly, the obligations of Article VI apply not just to the five countries allowed by the treaty to have nuclear weapons, but to all parties to the NPT. Article VI clearly links the obligation to negotiate on nuclear disarmament with an obligation on the part of all NPT parties to negotiate ''a Treaty on general and complete disarmament.''

The treaty also does not assume that nuclear disarmament must be a prerequisite to general and complete disarmament. To the contrary, one of the treaty's introductory paragraphs spells out the expectation of the parties that actual ''elimination from national arsenals of nuclear weapons'' would take place not prior to, but ''pursuant to a Treaty on general and complete disarmament.''

Those who in essence agree with the views of a Noam Chomsky that ''The United States has led the way in refusal to abide by the Article VI obligations,'' notwithstanding more than 30 years of nuclear arms control, need to explain why they are not similarly exercised by the failure of all other NPT states to satisfy their Article VI obligations. In particular, they need to explain why the U.S. must do more to comply with Article VI's nuclear disarmament provisions, in the absence of even token steps by anyone else to comply with that Article's general and complete disarmament requirements.

Because the language of Article VI does not actually say what proponents of nuclear disarmament want it to say, they have worked for decades to reinterpret it. They have, for example, promoted declarations by international conferences reformulating the requirements of Article VI, and then argued that these reformulations are legally binding on the U.S., without approval by the U.S. Senate. These efforts have succeeded to a remarkable degree, at least as measured by popular conceptions of the NPT's nuclear-disarmament requirements.

And so the critics are not impressed that by 2012 the U.S. will have reduced its deployed strategic nuclear warheads by 80%. They will not be satisfied if the U.S. reduces by 99%. So long as there is one nuclear weapon remaining in the U.S. inventory, they will point to this as a root cause of nuclear proliferation.

Few serious students of nuclear strategy believe that the stockpiles of the nuclear weapon states can be reduced to zero in the foreseeable future. Fortunately our reliance on nuclear weapons has been declining, and the U.S. should continue to eliminate unnecessary nuclear weapons based on considered judgments about our national security requirements. But we should not base such decisions about our nuclear force structure on wishful thinking that we can earn the goodwill of nuclear proliferators and other critics whose agendas are advanced by blaming America for nuclear proliferation.

EXHIBIT 4

[From the Wall Street Journal, July 8, 2009]

ARMS CONTROL AMNESIA

(By Keith B. Payne)

Three hours after arriving at the Kremlin yesterday, President Barack Obama signed a preliminary agreement on a new nuclear arms-control treaty with Russian President Dmitry Medvedev. The agreement—a clear road map for a new strategic Arms Reduction Treaty (START)—commits the U.S. and Russia to cut their nuclear weapons to the lowest levels since the early years of the Cold War.

Mr. Obama praised the agreement as a step forward, away from the ''suspicion and rivalry of the past,'' while Mr. Medvedev hailed it as a ''reasonable compromise.'' In fact, given the range of force levels it permits, this agreement has the potential to compromise U.S. security—depending on what happens next.

In the first place, locking in specific reductions for U.S. forces prior to the conclusion of the ongoing Nuclear Posture Review is putting the cart before the horse. The Obama administration's team at the Pentagon is currently examining U.S. strategic force requirements. Before specific limits are set on U.S. forces, it should complete the review. Strategic requirements should drive force numbers; arms-control numbers should not dictate strategy.

Second, the new agreement not only calls for reductions in the number of nuclear warheads (to between 1,500 and 1,675), but for cuts in the number of strategic force launchers. Under the 1991 START I Treaty, each side was limited to 1,600 launchers. Yesterday's agreement calls for each side to be limited to between 500 and 1,100 launchers each.

According to open Russian sources, it was Russia that pushed for the lower limit of 500 launchers in negotiations. In the weeks leading up to this summit, it also has been openly stated that Moscow would like the number of deployed intercontinental ballistic missiles (ICBMs), submarine-launched missiles (SLBMS), and strategic bombers to be reduced ''several times'' below the current limit of 1,600. Moving toward very low numbers of launchers is a smart position for Russia, but not for the U.S.

Why? Because the number of deployed Russian strategic ICBMs, SLBMs, and bombers will drop dramatically simply as a result of their aging. In other words, a large number of Russian launchers will be removed from service with or without a new arms-control agreement.

The Obama administration will undoubtedly come under heavy pressure to move to the low end of the 500–1,100 limit on launchers in order to match Russian reductions. But it need not and should not do so. Based solely on open Russian sources, by 2017–2018 Russia will likely have fewer than half of the approximately 680 operational launchers it has today. With a gross domestic product less than that of California, Russia is confronting the dilemma of how to maintain parity with the U.S. while retiring its many aged strategic forces.

Mr. Medvedev's solution is to negotiate, inviting the U.S. to make real cuts, while Russia eliminates nothing that it wouldn't retire in any event.

This isn't just my conclusion—it's the conclusion of many Russian officials and commentators. Russian Gen. Nikolay Solovtsov, commander of the Strategic Missile Troops, was recently quoted by Moscow Interfax-AVN Online as saying that ''not a single Russian launcher'' with ''remaining service life'' will be withdrawn under a new agreement. Noted Russian journalist Pavel Felgengauer observed in Novaya Gazeta that Russian leaders ''have demanded of the Americans unilateral concessions on all points, offering practically nothing in exchange.'' Precisely.

Beyond the bad negotiating principle of giving up something for nothing, there will be serious downsides if the U.S. actually reduces its strategic launchers as much as Moscow wishes. The bipartisan Congressional Strategic Posture Commission—headed by former secretaries of defense William J. Perry and James R. Schlesinger—concluded that the U.S. could make reductions ''if this were done while also preserving the resilience and survivability of U.S. forces.'' Having very low numbers of launchers would make the U.S. more vulnerable to destabilizing first-strike dangers, and would reduce or eliminate the U.S. ability to adapt its nuclear deterrent to an increasingly diverse set of post-Cold War nuclear and biological weapons threats.

Accepting low launcher numbers would also encourage placing more warheads on the remaining ICBMs—i.e., ''MIRVing,'' or adding multiple independently targeted warheads on a single missile. This is what the Russians openly say they are planning to do. Yet the U.S. has long sought to move away from MIRVed ICBMs as part of START, because heavy MIRVing can make each ICBM a more tempting target. One measure of U.S. success will be in resisting the Russian claim that severely reducing launcher numbers is somehow necessary and ''stabilizing.'' It would be neither.

Third, the new agreement appears to defer the matter of so-called tactical nuclear weapons. Russia has some 4,000 tactical nuclear weapons and many thousands more in reserve; U.S. officials have said that Russia has an astounding 10 to 1 numerical advantage. These weapons are of greatest concern with regard to the potential for nuclear war, and they should be our focus for arms reduction. The Perry-Schlesinger commission report identified Russian tactical nuclear weapons as an ''urgent'' problem. Yet at this point, they appear to be off the table.

The administration may hope to negotiate reductions in tactical nuclear weapons later. But Russia has rejected this in the past, and nothing seems to have changed. As Gen. Vladimir Dvorkin of the Russian Academy of Sciences said recently in Moscow Interfax-AVN Online, ''A treaty on the limitation and reduction of tactical nuclear weapons looks absolutely unrealistic.'' If the U.S. hopes to address this real problem, it must maintain negotiating leverage in the form of strategic launchers and weapons.

Fourth, Mr. Medvedev was quoted recently in RIA Novosti as saying that strategic reductions are possible only if the U.S. alleviates Russian concerns about ''U.S. plans to create a global missile defense.'' There will surely be domestic and international pressure on the U.S. to limit missile defense to facilitate Russian reductions under the new treaty. But the U.S. need for missile defense has little to do with Russia. And the value of missile defense could not be clearer given recent North Korean belligerence. The Russians are demanding this linkage, at least in part to kill our missile defense site in Europe intended to defend against Iranian missiles. Another measure of U.S. success will be to avoid such linkages.

In short, Russian leaders hope to control or eliminate many elements of U.S. military power in exchange for strategic force reductions they will have to make anyway. U.S. leaders should not agree to pay Russia many times over for essentially an empty box.

Finally, Russian violations of its existing arms-control commitments must be addressed along with any new commitments. According to an August 2005 State Department report, Russia has violated START verification and other arms-control commitments in multiple ways. One significant violation has even been discussed openly in Russian publications—the testing of the SS–27 ICBM with MIRVs in direct violation of START I.

President Obama should recall Winston Churchill's warning: ''Be careful above all things not to let go of the atomic weapon until you are sure and more than sure that other means of preserving peace are in your hands.'' There is no need for the U.S. to accept Russian demands for missile-defense linkage, or deep reductions in the number of our ICBMs, SLBMs and bombers, to realize much lower numbers of Russian strategic

systems. There is also no basis for expecting Russian goodwill if we do so.

EXHIBIT 5

DEPARTMENT OF DEFENSE AND DEPARTMENT OF ENERGY NUCLEAR WEAPONS COUNCIL,
Washington, DC, December 24, 2008.

Hon. THOMAS P. D'AGOSTINO,
Administrator, National Nuclear Security Administration, Department of Energy, Washington, DC.

DEAR MR. D'AGOSTINO: The Department of Defense (DoD) and the National Nuclear Security Administration (NNSA), have joint responsibility to maintain a safe, secure, and reliable nuclear weapons stockpile and supporting infrastructure to provide the United States a credible nuclear deterrent. I understand that NNSA is implementing Records of Decision (RODs), in connection with the recently completed Supplemental Programmatic Environmental Impact Statement (SPEIS), regarding the future U.S. nuclear weapons complex. Our staffs have been working together to address the detailed issues associated with the SPEIS decisions, including specific requirements the nuclear weapons complex must achieve to enable stockpile and infrastructure transformation.

The U.S. nuclear deterrent continues to serve as the ultimate guarantor of U.S. security and our security commitments to allies. The required size and composition of the nuclear weapons stockpile is dependent on the global security environment and the ability to respond to unanticipated technical problems. We cannot know with certainty the future global security environment, nor can we predict the nature or extent of potential problems with warheads or delivery systems. These factors argue for a flexible nuclear weapons infrastructure capable of responding to future geopolitical or technical challenges.

To minimize stockpile size and reduce the likelihood that a return to underground nuclear testing will be needed in the future, DoD will require a warhead with modern safety, security, and use control features. In addition, DoD will continue to rely on life extension of legacy warheads and therefore requires an infrastructure capable of developing and producing these warheads. Of critical importance, and independent of future stockpile planning, our nuclear infrastructure must ensure that our future stockpile is:

Safe and Secure: To the degree feasible, refurbished or replacement warheads will incorporate enhanced safety features such as: insensitive high explosives, multipoint safety, meet all other safety-related Military Characteristics, and be protected against theft and sabotage including the possibility of unauthorized or accidental detonation.

Reliable: U.S. nuclear forces must be able to hold at risk those critical capabilities of our potential enemies that are defined by presidential guidance. Increased performance margins should be pursued in weapon refurbishment or replacement programs, ensuring with high confidence that our nuclear weapons are reliable and credible while reducing the likelihood of a return to underground nuclear testing.

Adaptable: The NNSA should employ, to the maximum extent possible in refurbished or replacement weapons, modular designs that are interoperable between multiple delivery platforms.

In light of these standards and the need to achieve and modernize a responsive nuclear infrastructure, the DoD recommends the NNSA RODs regarding the future of the nuclear weapons complex take into account the following:

Independent of the size of the future nuclear weapons stockpile, provide a plutonium research, development, and manufacturing capability that will ensure (1) continued excellence in plutonium research, (2) an ability to conduct surveillance of plutonium pits, and (3) a capacity to deliver newly manufactured pits with actual production rates determined by NNSA that, when coupled with full exercise of analytical chemistry and other quality control processes, will demonstrate key capabilities and meet stockpile requirements. As stated in the March 2008 ''National Security and Nuclear Weapons in the 21st Century'' paper signed by Secretaries Gates and Bodman, planned pit production facilities should be capable of providing an estimated maximum capacity of 50–80 pits per year. Near-term planning for pit manufacturing capacity should be executed in a way that does not foreclose appropriate adjustments in capacity if necessary in the future.

Provide an infrastructure to produce, with sufficient capacity, uranium and other components of nuclear warhead canned subassemblies, and to support surveillance and dismantlement activities.

Maintain the ability to produce tritium in quantities sufficient to support the stockpile.

Maintain the ability to conduct surveillance of all components of nuclear warheads so that potential reliability issues can be quickly identified, allowing responsive correction.

Provide sufficient capacity for warhead assembly and disassembly that takes into account upcoming warhead life extension programs, the potential introduction of replacement warheads with enhanced surety features, and the capability to address future and emerging requirements, while at the same time addressing the growing number of warheads slated for dismantlement resulting from recent stockpile reductions directed by the President.

Complete and sustain the research and development, scientific, computational and experimental facilities and capabilities, including warhead design, engineering and production skills needed to support the future stockpile.

Ensure a 24–36 month preparedness to conduct, as may be required, an underground nuclear test to help resolve a safety or technical problem in the stockpile.

As you implement the RODs regarding the future complex, I trust that you will fully consider these requirements and request that you update the Nuclear Weapons Council on progress at an upcoming meeting.

(For John J. Young, Jr., Chairman).

EXHIBIT 6

BUREAU OF VERIFICATION AND COMPLIANCE,
Washington, DC, August 30, 2005.

ADHERENCE TO AND COMPLIANCE WITH ARMS CONTROL, NONPROLIFERATION, AND DISARMAMENT AGREEMENTS AND COMMITMENTS

B. THE STRATEGIC ARMS REDUCTION TREATY (START)

Belarus, Kazakhstan, Russia, and Ukraine are in compliance with the START strategic offensive arms (SOA) central limits. Both the United States and Russia met the START seven-year reduction final ceilings of 1,600 delivery vehicles and 6,000 attributed warheads by the December 4, 2001, deadline. By December 2001, these four Former Soviet Union (FSU) successor states had reduced their aggregate forces to 1,136 deployed launchers, 5,518 deployed warheads, and 4,894 deployed ballistic missile warheads, as defined by Article II of the Treaty, and all strategic weapons had been removed or eliminated from the territories of Ukraine, Belarus, and Kazakhstan. Additionally, START required the four FSU successor states to eliminate at least 154 heavy ICBM (SS–18)silo launchers by December 2001. In the original MOU, dated September 1, 1990, the Soviet Union declared 308 SS–18 heavy ICBM silo launchers. As of November 30, 2001, a total of 158 SS–18 silo launchers had been eliminated—104 in Kazakhstan and 54 in Russia—leaving a total of 150 deployed heavy ICBMs.

Notwithstanding the overall success of START implementation, a significant number of longstanding compliance issues that have been raised in the START Treaty's Joint Compliance and Inspection Commission (JCIC) remain unresolved. The Parties continue to work through diplomatic channels and in the JCIC to ensure smooth implementation of the Treaty and effective resolution of compliance issues and questions.

The United States raised six new compliance issues during the period of this report. The United States considers four of these to have been closed. However, several previous—often long-standing—compliance issues remain unresolved. A number of these issues, some of which originated as early as the first year of Treaty implementation, highlight the different interpretations of the Parties about how to implement the complex inspection and verification provisions of the START Treaty.

ICBM ISSUES

Inability to Confirm during Reentry Vehicle Inspections (RVOSIs) that the Number of Attributed ICBM Warheads Has Not Been Exceeded. During RVOSIs of deployed Russian ICBMs, U.S. inspectors have been hampered, in some cases, from ascertaining whether the missile had a front section, or that the front section contained no more reentry vehicles (RVs) than the number of warheads attributed to a missile of the declared type under the Treaty.

The purpose of an RVOSI, as set forth in paragraph 6 of Article XI of the Treaty, is to confirm that a ballistic missile contains no more RVs than the number of warheads attributed to a missile of that type.

The RVOSI procedures are referenced in paragraph 16 of Section IX of the Inspection Protocol and contained in Annex 3 to the Inspection Protocol. Paragraph 11 of Annex 3 allows the inspected Party to cover RVs. Inspectors have a right to view these covers and to measure hard covers prior to their placement on the RVs. The covers are then installed on the RVs before the inspectors view the front section. Under the Treaty, such covers must not hamper inspectors in ascertaining that the front section contains no more RVs than the number of warheads attributed to a missile of that type. Russian RV covers, in some instances, are too large; consequently, they fail to meet this requirement.

During certain RVOSIs, Russia did not demonstrate to the satisfaction of the U.S. inspection team that additional covered objects located on the front section, and declared by Russia not to be RVs, were not RVs. Although START does not differentiate between nuclear and non-nuclear RVs, Russia's willingness to use radiation detection equipment (RDE) during such RVOSIs to establish that the extra objects were not nuclear has been useful for resolving some, but not all, U.S. concerns.

FINDING. Russian RV covers, and their method of emplacement, have in some cases hampered U.S. inspectors from ascertaining that the front section of the missiles contains no more RVs than the number of warheads attributed to a missile of that type under the Treaty. Russian cooperation in the use of RDE and other measures has been helpful in addressing some, but not all, of the difficulties encountered by U.S. inspectors.

Russian Road-Mobile Launchers' ''Break-in.'' Russia has failed to declare certain road-mobile launchers of ICBMs when they first leave their production facility, as required by the Treaty. Russia has moved some of these launchers to an undeclared ''break-in'' area located over 60 miles from the production facility without declaring that they have left the production facility and are accountable under the Treaty.

Pursuant to paragraph 6(b) of Article III of the Treaty, a mobile launcher of ICBMs becomes subject to the Treaty limitations when it first leaves a production facility. Not later than five days following the first exit of such a newly produced non-deployed road-mobile launcher, and its entry into Treaty accountability, Section I of the Notification Protocol requires the Party producing the new Treaty-accountable item to provide a notification of this change in data. Except for transits, Parties are proscribed from locating non-deployed mobile launchers outside the boundaries of the START-declared facilities identified in subparagraph 9(b) of Article IV of the Treaty.

FINDING. Russia continues to violate START provisions relevant to these obligations.

Deployed SS–25 Road-Mobile Launchers Based Outside Their Designated Restricted Areas. Russia based some deployed SS–25 road-mobile launchers outside their declared restricted areas (RAs) at two road-mobile ICBM bases while these RAs were under construction. The United States and Russia concluded a temporary, interim policy arrangement regarding the conduct of inspections and cooperative measures at the facilities where the launchers were housed during the period of construction. This arrangement permitted U.S. inspectors to conduct data update inspections and RVOSIs that they had not previously been able to perform, and allowed Russia to cooperate fully with providing cooperative measures access for the launchers that were previously unavailable. All of these road-mobile ICBMs and their launchers have since been transferred from their bases, and their declared RAs have been eliminated as START facilities.

FINDING. Notwithstanding the interim policy arrangement, Russia's practice of locating deployed SS–25 road-mobile launchers outside their declared RAs for long periods of time constituted basing in a manner that violated the provisions of paragraphs 1 and 9 of Article VI of the Treaty. This practice has ceased and the United States considers this issue closed.

Denial of the Right to Measure Certain Deployed ICBM Launch Canisters on Mobile Launchers. U.S. inspectors have been prevented from exercising the Treaty right to measure certain ICBM launch canisters on mobile launchers, both deployed and non-deployed, that are encountered during data update inspections to confirm data regarding the type of item of inspection. Russia, for instance, has prevented U.S. inspectors from measuring launch canisters for SS–24 ICBMs contained in rail-mobile launchers that are located within the boundaries of an inspection site. Similar concerns have arisen with regard to launch canisters for SS–25 and SS–27 mobile ICBMs located on road-mobile launchers. With regard to launch canisters for these latter types, Russia and the United States have agreed upon a policy arrangement to address this issue, though it has not yet been implemented for the SS–27 ICBM.

Subparagraph 20(a) of Section VI of the Inspection Protocol identifies ICBM launch canisters as one of the items of inspection for data update inspections. In accordance with the procedures in Annex 1 to the Inspection Protocol, inspectors have the right to confirm the number and, if applicable, the types of items of inspection that are specified for the facility to be inspected and declared for the inspection site, and the right to confirm the absence of any other item of inspection at the inspection site. Pursuant to paragraph 6 of Annex 1, inspectors may view and measure the dimensions of a launch canister declared to contain an item of inspection to confirm it is of the declared type.

FINDING. Russia prevented U.S. inspectors from exercising their Treaty right to measure launch canisters for SS–24 ICBMs contained in rail-mobile launchers that are located within the boundaries of an inspection site, in contravention of paragraphs 1 and 6 of Annex 1 to the Inspection Protocol. With regard to launch canisters for SS–25 and SS–27 ICBMs located on road-mobile launchers, the Parties have agreed upon a policy arrangement to address this issue, but it has not yet been implemented for the SS–27 ICBM.

TELEMETRY ISSUES

As part of the START verification regime, the Parties are obligated to notify each other of missile flight tests and to exchange telemetry tapes, tape summaries, interpretive data, and acceleration profiles for each flight test of a START-accountable ICBM or SLBM. The United States has raised several concerns regarding Russia's failure to provide all Treaty-required telemetry materials for some START-accountable flight tests in violation of paragraphs 4 and 5 of Article X of the Treaty, and paragraph 1 of Section I and paragraphs 1 and 2 of Section II of the Telemetry Protocol.

FINDING. Russia has in some instances failed to comply with Treaty requirements regarding the provision of telemetry information on missile flight testing pursuant to Article X of the START Treaty and Sections I and II of the Telemetry Protocol.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Arizona for his courtesy. I enjoyed hearing his remarks. No Senator on either side of the aisle has been a more consistent spokesman on military preparedness than Senator KYL has been over the years. His concern about our nuclear stockpile is well known and very important. I hope all Americans will pay close attention to what he had to say.

I ask unanimous consent to speak for up to 20 minutes in morning business.

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

CHECKS AND BALANCES

Mr. ALEXANDER. Mr. President, our job in the Senate is to debate. We are said to be the greatest deliberative body in the world. The great conflicts in our country come here so that we can resolve them. After 6 months of President Obama's administration, Americans admire him, like him, like his family, and appreciate his seriousness of purpose. But Americans are beginning to see some significant differences of opinion between the kind of country the Democrats are imagining for our Nation and the kind of country Republicans and many independents are imagining. There is concern in Tennessee, as well as around the country, about the lack of checks and balances on too much debt and too many Washington takeovers.

In terms of debt, we see the President's proposals for debt for the next 10 years are nearly three times as much as all of the money the United States spent in World War II. As far as Washington takeovers, it seems to be a weekly running reality show. First the banks; then the insurance companies; then the student loans; then the car companies even, according to recent legislation; your farm pond, according to some Federal legislation; and now maybe even health care.

But people have a right to say to us on this side of the aisle: What would you Republicans do? You can't just point with alarm—although that is part of our job. What would Republicans do?

I wanted to mention three areas where Republicans have a different opinion than the current administration and where we hope we might persuade the American people and many Democrats and even the President to join us on a different path for the country. The first has to do with the Government's ownership of General Motors. We want to give the stock back to the people who paid for it, the taxpayers. The second has to do with health care. We want to begin at the other end of the discussion. We want to start with the 250 million Americans who already have health care and make sure they can afford it. After we are through making sure of that, that they can afford their government, because they can't afford these trillion-dollar additions to health care we keep hearing about.

Third, on clean energy, we want clean energy as well as the President does. But we also want energy that Americans can afford. We know cheap energy is key to our economic success. We want jobs to be made. We want cars to be made in Michigan and Ohio and Tennessee and not Mexico or Japan. We have a plan for clean energy that is low cost, that will reduce utility bills and keep jobs here which would compare with the Waxman-Markey climate change bill passed by the House and headed our way.

I would like to talk about each of those three very briefly. First, General Motors. I congratulate the new GM for emerging from bankruptcy today. General Motors has meant a great deal to our country and a great deal to our State, Tennessee. When General Motors decided nearly 25 years ago to put the Saturn plant in Tennessee, we had very few auto jobs. Nissan had already made a decision to come to our State. That was a pioneering decision because most auto plants were in the Midwest. Today there are a dozen such auto plants, including the General Motors plant in Spring Hill. In Tennessee, instead of having a few auto jobs, a third of our manufacturing jobs are auto jobs.

So we are grateful to General Motors for its decision 24 years ago, and we

want it to succeed. We want that Spring Hill plant to be making some GM products soon and believe that it will be because of all the natural advantages it has.

What are the best ways we in Washington can help General Motors succeed? That was the question asked of me last week in Tennessee. The answer is to get the General Motors stock that is owned by the government out of Washington, DC, and into the hands of the taxpayers. I have legislation I have introduced, and I am looking for the opportunity to amend an appropriate bill on the Senate floor that is cosponsored by the Republican leader and Senator KYL and a variety of others. It would take the 60 percent of General Motors the U.S. Government owns and give it to the 120 million Americans who pay taxes on April 15.

What is the reason for doing that? They paid for it. They should own it. What is the second reason for doing that? If the stock stays here, we find that Washington bureaucrats and those of us in Congress can't keep our hands off the car company.

We have the President calling up the mayor of Detroit saying: Yes, I think the headquarters ought to be in Detroit instead of Warren, MI. We have the Congressman from Massachusetts calling up the president of General Motors saying: Don't close the warehouse in my district. And you have the delegation from Tennessee and from Indiana and Michigan saying: Put a car plant here. And you have 60 committees in Congress authorized to summon the executives here—we own the company, after all; let's hear what they have to say—and tell them what to do. Paint it this color. Get your battery from this district. Make it this way.

What are the poor executives going to do? Drive in their congressionally approved hybrid cars from Detroit to Washington to testify before 60 subcommittees while Toyota is busy making cars?

GM will never succeed if we keep this incestuous political meddling alive.

There are a variety of ways to get the stock out of the government and back in the hands of the people. The President has said he would like to do it. He has also said he wants to keep his hands off it. But that has not been the practice so far.

Senator BENNETT of Utah and I have introduced this legislation that would give the stock to the taxpayers who paid for it. That is the best way to do it, in my opinion. That would happen within a year. It would be a fairly common occurrence in the American corporate world. It is what Procter & Gamble did with Clorox a few years ago. It is what PepsiCo did with its restaurant businesses a few years ago. The company decided it had a subsidiary that did not fit the role of the major company, and so it spun it off—a stock distribution, a corporate spinoff.

I think we can all agree—at least 90 percent of the American people agree, according to surveys—that the government in Washington has no business whatsoever trying to run a car company. What do we know about it? So the best way to get rid of it is to give it to the people who paid for it.

There are other ways to do it, and several Senators—Senator CORKER, for example, has suggested an ownership trust to try to make sure that while it is here, the government keeps its hands off the day-to-day operations. Senator JOHANNS and Senator THUNE also have bills of this kind, as does Senator NELSON of Nebraska.

But my point is, now that General Motors has emerged from bankruptcy, let's celebrate that by taking the 60 percent of the stock the American taxpayers paid $50 billion for and giving it to those same taxpayers and getting our hands off the company and cheer them on.

There is another reason this would be a good idea. Most of us know the Green Bay Packers are a popular team, especially in their home area. Why is that? Because the fans own the team. That would be the same thing we would have with the General Motors stock distribution. Just as Green Bay Packer fans have a special interest in who the quarterback might be because they own the team, if 120 million Americans had a little bit of GM stock, they might be a little more interested in the next Chevrolet, and that might create a nice fan investor base for the new GM as it seeks to move ahead.

So that is the first idea we Republicans have: get the government stock ownership of the car companies out of Washington and back in the hands of the marketplace where it belongs.

Here is the second idea we have. It has to do with health care. We would start at the other end of the debate. We would start with the 250 million Americans who already have health care and say to them: We want to make sure you can afford your health care, that you can choose your health care, and that when we are done fixing it in this health care reform—that we would like to do this year along with our Democratic friends—we want to make sure you can afford your government as well. That is our message.

Our friends on the other side—the Democrats—have more votes than we do, so they have set the agenda and they are writing the bill. In the Health, Education, Labor, and Pensions Committee, on which I serve, they are being very polite and collegial and nice to us, but they are taking almost none of our ideas and recommendations, and they are starting at the other end. And their other end is not going very well.

It is not going very well in terms of costs and debt because the Congressional Budget Office has begun to tell us how much some of these proposals will cost; and we are talking about $2 trillion in addition to all the trillions we have been spending this year.

This Nation cannot afford that. Even though we are adding $1 trillion or $2 trillion to the debt in order to have this sort of health care reform that is being proposed, it does not begin to cover the uninsured people in America.

We would like to cover the uninsured people, too, but we think we ought to do that after we make sure we keep the costs down for the 250 million who already have health insurance, including the small businesses of this country. That is our main goal: to lower costs. And we do not want to end up with a health care plan that adds debt to the government either.

That is why we have introduced a number of plans. Senator COBURN and Senator BURR have introduced one. Senator GREGG of New Hampshire has introduced one. Senator HATCH has introduced a health care plan that gives the States more responsibility in figuring out exactly how to provide health care, especially to low-income Americans.

The essential differences between our approaches and the Democratic approaches that are being presented is that, one, ours do not add to the debt; and, two, the government does not run ours.

The essential nature of the Democratic proposals is to expand one failed government program for low-income people that is called the Medicaid Program and to create another, which we believe will tend to drive out your choices and your competition and not do very much to reduce your costs, while adding heavily to the national debt we already have.

That is a major difference we have. And we have our proposals on the table. The discussion is not going very well because it is one-sided. I suggested, 3 weeks ago, when we began to discuss the Kennedy bill, we ought to start over and suggested they might want to take some of our ideas.

There is a Wyden-Bennett piece of legislation I did not even mention. Mr. President, 14 of us—8 Democrats and 6 Republicans—are cosponsors of that legislation. It has a zero addition to the national debt, according to the Congressional Budget Office. The principle of it is basically to take the dollars we have available and give them to Americans and let them buy their health care insurance, so instead of expanding government programs, including for low-income Americans, you get the dollars, you get the health care, and that takes care of virtually everybody.

All the plans from this side of the aisle, like those on the other side, say everybody needs to be insured. You are not disqualified for a preexisting condition. And the cost has to be affordable. All of us agree on that. The difference is whether it is going to be government programs or whether you are going to have dollars you can choose. That is the big difference, and we hope the American people will pay attention to the differences we are offering. We believe they will because, as you look at the Democratic plans, the costs are becoming alarming.

The first cost we saw was to the national debt, which was to expand between $1 trillion and $2 trillion, at least in the bill we have been considering in the HELP Committee. But then in the new versions of it, the sponsors began to shift the costs. Well, where do they shift it? The first place they shift it is to employers. It is a bad idea.

We have a 10-percent unemployment rate in the country today. People work for employers, and all the evidence shows, if we add costs to employers, one of a couple things happens. One is, the wages of the employees are reduced because the employer has to pay higher taxes. The second thing is, you add costs to employers and some of those employers go overseas.

I was in Tennessee last week talking to a lot of auto suppliers, air-conditioning manufacturers. They watch their costs every day. They are in discussions with their companies about that if costs of electricity or health care or anything else go up too much, they begin to go overseas and look for lower costs. We have already seen what has happened to the automobile industry in the Midwest because of high health care costs. So why is it such a good idea to begin to shift the costs and have every employer pay at least a $750-per-employee tax as a way of reducing the cost of health care?

Then the other place these plans begin to shift the costs is to the States. That is a convenient place to shift it. I used to see that as Governor. The Acting President pro tempore was speaker of the house in his State. We are familiar with Members of Congress who hold big press conferences and announce a good idea and take credit for it, and then they send the bill to the Governor or the speaker of the house or the legislature or the mayor and say: Here, you pay for it. It is called an unfunded Federal mandate.

The unfunded Federal mandate in this case is to the Medicaid Program. The Medicaid Program, in my view, is a terrible choice for a way to expand coverage for low-income families. Already, 60 million Americans get their health care through their State Medicaid Program, which is usually funded about 60 percent by the Federal Government. But the problem is, it is so poorly run and so underfunded the way it is managed that 40 percent of doctors will not see Medicaid patients.

So when you expand the Medicaid Program and dump more low-income Americans into it, you are giving people a bus ticket to a company that does not have very many buses. So they do not get good health care service. That is not the way we should be doing this. But that is the way we are trying to do it.

Then there is another person who is going to be affected by that expansion of Medicaid, the government program, and that is the taxpayer. The costs of the expansions that are being discussed when you expand the program to 150 percent of the Federal poverty level—and when you, in addition to that, try to attract more doctors and hospitals to serve Medicaid patients, and you require States to pay more to doctors and more to hospitals than they are today—the numbers are staggering.

The Congressional Budget Office has said: It is a $500 billion figure over 10 years, or maybe it is $700 billion if you go to the fourth year and go for 10 years after that, or maybe it is more than that, depending on the various formulas you come up with. And we will assume all that at the Federal level? Maybe we will to start with, but after a few years, it will go back to the States. We say that easily here because we have a printing press, and we have suddenly gotten used to talking about trillions of dollars. But States cannot do that. States do not have printing presses. They have to balance their budgets.

I did a little calculation. If we expanded the Medicaid Program by 150 percent of the Federal poverty level and required States to put everyone in there, and if we increased the payments to doctors and to hospitals to 110 percent of Medicare levels, which is still significantly below what private plans pay, it would add about $1.2 billion every year to the budget just for the State's share of Medicaid. That is about a 10-percent new State income tax in our State to pay.

So that is the shifting of a cost. That is not just a little cost shift. That is an impossible cost shift. That is not even in the area of reality. I think as employers begin to discover what they are going to be taxed and when States discover what they are going to be taxed and Medicaid recipients realize if they get into this program that 40 percent of the doctors will not see them, this is not going to be a very popular alternative.

Then, last week, we heard about Medicare cuts. Some of the Democrats in the Senate have made an agreement with the hospitals to cut Medicare. That is not so bad, they say. But what is even worse—even worse—is they are going to take the savings from Medicare cuts and spend it on a different program. We all know that the biggest problem we have with the Federal budget is the rising cost of Medicare, and we have to bring that under some control—control the growth of Medicare.

But if we are going to take any money out of the Medicare Program, it ought to be spent on the Medicare Program for the seniors who are in it. We ought not to take money from the Medicare Program and use it to pay for some new program we are talking about passing.

So all these plans that are being talked about are shifting the costs. First, they are adding to the Federal deficit by maybe $1 trillion. And then they are shifting the rest of the cost to employers who are struggling, to States who are broke, to taxpayers in the States, 10 percent of whom are unemployed. Then they are taking money out of Medicare and spending it instead of spending it on Medicare.

I do not think this is going to work. So I suggest my advice at the beginning of this discussion 3 weeks ago is still good: Start over. Start over with one of the Republican plans or with a bipartisan Wyden-Bennett plan. Fourteen Senators are already there: 8 Democrats and 6 Republicans. And let's begin with the 250 million Americans who are already covered and make sure their costs are appropriate, that they can afford their health care, and that when we get through with this health care fix, that Americans can afford their government.

One other area of an idea that I hope—and we hope—our friends on the Democratic side will agree with and the President eventually will agree with and the American people will agree with has to do with how we go about having clean energy.

On Monday, I will be making a speech at the National Press Club at 11 a.m. about a blueprint for 100 new nuclear powerplants. This is a part of the Republican clean energy strategy which has four provisions to it. The first is 100 new nuclear powerplants in the next 20 years. The second is: electrify our cars and trucks. I believe we can electrify half of them in 20 years. The third is: explore offshore for natural gas and oil. And fourth is: double research and development of energy. I would call it mini-Manhattan projects to help make alternative energy, such as solar, cost competitive with fossil fuels, so the use can be more widespread or for carbon recapture so our coal plants can be cleaner or for advanced biofuels from crops we do not eat to make that fuel more competitive with gasoline or even with fusion and green buildings. These are the kinds of things we should be doing.

The Republican energy plan, which is based on 100 nuclear powerplants, is a cheap energy plan. It is cheap and clean energy. The Waxman-Markey bill, the so-called climate change energy bill that is coming from the House, the Democratic plan, is a high-cost clean energy bill.

Let's stop and think about the kind of America we would like to have. We want an America in which we have good jobs, and that is going to take plenty of energy. We use 25 percent of all of the energy in the world. We want an America in which we don't create excessive carbon so we can reduce global warming. We want clean air—that kind of an America. We want one, too, in which we are not creating a renewable energy sprawl where these gigantic machines are spreading across landscapes we have spent a century preserving. Of course, we want the hundreds of thousands of green jobs that can come from renewable energy, but we don't want to do it in a way that kills the tens of millions of red, white, and blue jobs that most of us work in.

We don't want to run our manufacturing and technology, high-tech companies overseas looking for cheap electricity because of the strategy we take for clean energy.

The strategy that is coming toward us from the House, the Democratic proposal, is a high-cost strategy. It is a $100 billion a year burden on the economy which is unnecessary. It is high taxes, and it is more mandates, and it is a new utility bill for every American family.

What Republicans want to say is there is a different approach that will get us to about the same place. I actually think it will get us there faster. This approach starts with 100 new nuclear powerplants. That means we will have electricity that is cheap enough so that cars can be built in Michigan and Ohio, as well as Tennessee, instead of Mexico and Japan. It means we would be producing more of our energy at home. It means our air will be cleaner. Nuclear power is 70 percent of our pollution-free, carbon-free electricity today, while solar and wind, for example, is 6 percent. And it will do what we need to do to reduce global warming. In fact, our plan should put us within the Kyoto limits by 2030, because nuclear power produces 70 percent of the carbon-free electricity, and carbon is the principal greenhouse gas that contributes to global warming.

So my question would be: Why would we adopt this contraption headed this way from the House—$100 billion of taxes on the economy, giveaways, payoffs, surprises, complications, cow taxes—why would we do that? Why would we raise our prices deliberately when we can deliberately lower our prices with the technology we already have?

We haven't built a new nuclear plant in 30 years, but France has. They are 80 percent nuclear. So European plants are moving to Spain. France has among the lowest electric rates in the European Union and among the lowest carbon emissions in the European Union. India and China are building nuclear plants, with our help, our technology, and we are helping them do it. Japan is building a nuclear powerplant about every year, and the President has even said Iran can do it. Then why don't we get in the game? We know how to do it and we should, and we should be doing it.

On Monday, I will be suggesting at the National Press Club on behalf of Republicans—but I want to recognize right at the outset that we are not trying to make this a Republican—it is a Republican initiative, but we don't want to end up there. We know that several of our friends on the other side are strong supporters of nuclear power. We would like for more of them to be. We would like for the President to be. I would like for him to be half as interested in 100 new nuclear powerplants as he already is in windmills. I think he would get a lot farther with a plan that includes 100 new nuclear powerplants.

All this needs is Presidential leadership. It doesn't need a lot of money. The financing systems we need to help get the first six or eight nuclear plants up and going are designed so the taxpayer doesn't lose a cent. The first 100 nuclear powerplants which were built in about 20 years were built by the utilities with ratepayer money, not government money.

As far as safety, as far as what do we do with the waste, we have come a long way in the last 30 years. Our plants are safely operated. Dr. Chu, the distinguished scientist who is the Energy Secretary, said that to me at a hearing this week. We have operated safely our nuclear reactors and our nuclear submarines since the 1950s. We sometimes forget about that. France and Japan and Germany and India and China all know that if they want clean air and cheap energy for good jobs, they will have to use nuclear power. So we need to do that as well. And the waste? Let's call it used nuclear fuel. Scientists assure us that used nuclear fuel can be safely stored on site—and there is not very much of it in mass—safely stored on site for the next 40 or 60 years. That is step one. Step two is a mini-Manhattan Project of the kind we had during World War II to explore all of the most important ways to safely recycle the nuclear fuel so we can use it again and never create plutonium in the process. Scientists believe we can do that, figure that out in 8, 10, 12 years. We already have acceptable ways to do it. France is doing it that way now. But while we store it, we can figure that out. The United States is smart enough to do it.

So that would be our proposal on Monday. All 40 Republican Senators are united on it. We are looking for support on the other side. I think more support will come, because as Americans look at this $100 billion economy-wide cap and trade, they are going to say, Whoa, I hope that is not the answer to this problem.

Let me give you one example. The economy-wide cap and trade applies to fuel. That is the gasoline in your car or your truck. One thing we know for sure: It will raise the price of your gasoline at the pump. You will be paying 10 or 20 or 30 cents more. You might be paying 50 cents more, but it probably won't reduce the carbon that comes out of it. Gasoline fuel produces a third of the carbon we are worried about, but they have adopted in the House a device called the economy-wide cap and trade that won't do anything about it. We have had plenty of testimony on that, because if it goes up 10 or 20 or 30 cents, that is not enough to change the behavior of Americans.

The better way to do it is a low carbon fuel standard that gradually reduces the amount of carbon as people shift to other fuels. That is why we are for electric cars, because we have so much unused electricity at night that we can plug in our cars and trucks at night until we have electrified half of them without building one new powerplant. So why in the world would they go to the trouble of creating this 1,400-page contraption of mandates and taxes and rules that raises prices and doesn't reduce the carbon they are aiming at? Of course, on the coal plants, they are 40 percent of the carbon. If we can begin to build nuclear powerplants, then the utilities will probably close some of the dirtiest coal plants.

Our vision is, as we look ahead 20 years, we can see 40 percent of our electricity from nuclear; maybe 25 percent from natural gas—that is a little more than we have today; maybe 8 or 10 percent from solar and wind and geothermal and biomass and some of these renewable energies; another 10 percent from hydroelectric; the rest from coal—a significant amount, still. Hopefully, along that way one of these mini-Manhattan projects will have found an even better way to capture carbon from coal plants.

This is the real clean energy policy. That would get us to the Kyoto protocol. What is more important is that we want to reindustrialize this country with cheap energy, cheap electricity. We don't want to run jobs overseas.

Then the final part of this for the dream of energy is that it is cheap. People around the world are poor, and the single thing that would help them most is to have low-cost or no-cost energy. We are on the verge of doing that with nuclear power. We should be pursuing that instead of deliberately raising the price of energy in an ineffective way toward a goal—in this case combating global warming—that seems to be completely lost—completely lost—in the manufacturing of this contraption that came from the House of Representatives that is going to give you a new utility bill every month.

So those are three Republican ideas that we have and that we hope our Democratic colleagues will be interested in. We hope the President will see them as constructive suggestions. We hope they will provide a check and a balance on the excessive debt and the number of Washington takeovers we are beginning to see in Washington.

First, we congratulate General Motors on its coming out of bankruptcy, and a good way to celebrate would be to give all of the stocks to the taxpayers who paid taxes on April 15, stop the incestuous political meddling in the car companies, give them an investor fan base to cheer on the new Chevy.

Second, let's start over on health care costs. Let's start at the right end. Let's start with the 250 million Americans who already have health care and make sure it is good health care, and that they can afford it, and that when we are through with our reforms, they can afford the government that they are left with and they don't have trillions more dollars in debt. To do that, we have four or five proposals on the table which fundamentally say: Take the dollars we have and give them to

Americans and let them buy their own insurance rather than stuff them into government programs.

Finally, we want clean energy, but we want low-cost clean energy. We want clean air. We want global warming dealt with. We want American independence, but we want energy at a cost that will keep our manufacturing jobs and our high-tech jobs right here at home and not overseas looking for cheap energy. We have a way to do it: 100 new nuclear powerplants, electric cars, offshore exploration for natural gas—that is low-carbon oil. We are still going to need it, so we might as well use our own, although we will use less. Finally, several mini-Manhattan projects for research and development on solar and fusion and other areas that will help us change the energy picture, maybe after 20 years.

These are exciting times. We are glad to be able to contribute our ideas to the debate, and we hope the American people will listen and, eventually, we hope our friends on the other side will join us, and that even the President will take some of our ideas and make them a part of his agenda.

I thank the Chair, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BEGICH). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

INDONESIAN PRESIDENTIAL ELECTION

Mr. BOND. Mr. President, I rise today to talk about a very recent event that is important to the United States and which should have received a lot greater publicity than it did. I know the occupant of the chair, who is from Alaska, understands the importance of Southeast Asia to our economy and to security for the world. This is where the event took place. On July 8, the people of Indonesia elected democratically their second democratically elected president, Susilio Bambang Yudoyono. For obvious reasons, he is known by the initials SBY. He enjoyed a victory, according to preliminary results by the national election commission, of 62 percent of the vote, based on more than 18.7 million ballots counted. He needed 50 percent of the ballots to win in one round.

His challengers, former President Megawati Sukarnoputri, came in second, with 28 percent, and his previous vice president, Jusuf Kalla, finished third with 10 percent. We will have an official result released by the election commission by July 27.

I think it is very clear that SBY won an overwhelming election. This would put Mr. Yudhoyono well over the 50-percent threshold to avoid a second-round runoff. Those who watch Southeast Asia believe that such an emphatic election victory for a man who became the democratically elected President 5 years ago will cement his position, quicken the pace of reform, and strengthen the country that is very important to that region and, thus, to the United States.

Mr. Yudhoyono rose under the dictator Suharto, who was forced out 11 years ago after more than three decades in power, to a position in the army, where he was a general. But when he became President, he set aside his military uniform and took on civilian garb. He is a liberal who provided much needed stability. Despite the challenges of dismal infrastructure and 30 million Indonesians living below the poverty line, a country that extends through some 17,000 islands at low water, and 13,000 islands at high tide level, it is a country that is the largest Muslim country in the world. A population of 240 million people makes it the fifth largest country in the world. It has 90 percent of its population as Muslims. So this is the key to dealing with a Muslim nation.

Mr. Yudhoyono is credited with bringing economic prosperity with an economy set to grow even in the face of the global downturn, expected to grow by 4 percent this year. Independent observers declared that the Presidential election was largely free and fair, despite an accusation of fraud by his opponents. There is no evidence of that, and we believe it was a free election. It is key to our national interest because it is the keystone for Southeast Asia.

Southeast Asia includes a number of countries, perhaps better known to the United States—Thailand, Singapore, Malaysia, and many smaller countries. It is the fifth largest trading partner of the United States. On top of that, it controls the Strait of Malaka, through which about 50 percent of the world's oil supply travels. It is also an area which offers tremendous opportunity for economic growth for them and increased trade and economic benefits to the United States.

SBY was a general in the national army during the last decade of the Suharto years. During that time, fortunately, he attended the International Military Education Training Institute at Fort Leavenworth, KS. There, leaders of friendly countries come to learn from our military how a military should operate in the modern era where military is under civilian control, where human rights and individuals are respected, where the army does not control the political process, where the army is subordinate to and the protector of the population, rather than one which runs the population.

During his first tenure, as I said, he faced many challenges, and they were successful. He chose as his running mate Mr. Boediono, who we believe raises expectations of accelerating reform in the second term of SBY. Boediono is a technocrat with no party affiliation. He possesses an impeccable track record for clean governance. He is an advocate, as is SBY, of market-led growth, with government acting as an impartial regulator rather than a state actor. The duo campaigned on a ticket of clean governance and reform to promote broad-based economic growth. This was a vote by the predominantly Muslim country for a moderate prodemocratic path that Indonesia has already taken. They still face many challenges—not just poverty—with the economic problems in the country. They face a long tradition of corruption that has to be dealt with. SBY has taken steps to deal with that and needs to take more steps.

They also face the challenge from radical Islamists who want to establish Sharia law, a government by theocracy rather than by a popularly elected, constitutionally governed government. I will speak more about that in a minute.

Let me give you a little taste of the rest of it. His closest rival, Megawati Sukarnoputri, was the daughter of Sukarno, Indonesia's founding father. Ms. Megawati failed to impress voters during her term as President from 2001 to 2004, and she partnered with a general who was indicted for human rights abuse and was a former son-in-law of a previous authoritarian dictator. They ran a nationalistic campaign that was rejected by the voters of Indonesia.

The third ticket, comprised of current Vice President Jusuf Kalla and a former chief of the army, Wiranto, championed a similar ideological platform, with the difference being that Jusuf Kalla was a link between big national businesses and the government, which we thought he would probably enhance. This sets up an opportunity for the United States.

We are dealing with a very important Islamic country. I believe that it is time for us to realize this is an area where we can make significant progress, if we learn how to work with and provide significant support to a democratically elected head of an Islamic country, who wants to move on the path toward greater economic ties, free from corruption, open to trade and business.

I happen to have laid all this out in a book called ''The Next Front,'' coauthored with Lewis Simons, a Pulitzer Prize-winning reporter. It will be published by Wiley Books in October. We call it ''The Next Front'' because what people did not realize until recently was that, after 9/11, one of the indigenous terrorist groups in Indonesia, Jema Islamia, which we will call JI, was a close ally of al-Qaida, and still is. That is a terrorist organization that has spread from Indonesia into the Philippines, and potentially other parts of Asia. The leader of JI was tasked by al-Qaida with carrying out the second attack following 9/11, which was to be on Los Angeles. Fortunately, our CIA, by aggressive tactics and military tactics, prevented that attack.

There is still a real danger to not only peace and stability and progress

in Southeast Asia, but to the security of the United States, unless we ensure that a government such as Yudhoyono's manages to provide security and prevent the development of terrorist training areas and agencies, where they are willing and able to carry out operations, disrupt terrorist organizations.

In ''The Next Front,'' we argue, as I have, that the best way to do that is through significantly increasing contact between the United States and those governments that are dealing with those problems, that are on the wrong track, which have the potential to provide security and peace and prosperity for their own homeland. When they have too many young males who cannot find a job, they are often lured by the radical religious extremists into the terrorist organizations and convinced to undertake terrorist attacks on Americans, on democratically elected governments.

We believe that steps that were taken yesterday in the Foreign Operations Committee, under the able leadership of Chairman LEAHY, to put us on the path to increasing significantly the assistance and the contact we have with Southeast Asia. We increased to $65 million the amount of economic support fund assistance. They also instituted other programs to provide more assistance for Peace Corps. An expansion of the Peace Corps is one way to get American sandals on the ground now, so that we don't have to put American boots on the ground later.

Smart Power says that when you are faced with a radical, violent extremist group like al-Qaida, or the Taliban, which we face in Afghanistan and Pakistan now, you have to use force to deal with them. At the same time you are using force, you must build up the economy and meet the needs of the local leaders, so that they will work with the forces who are trying to drive the extremists out. That was the secret to the success of General Petraeus in Iraq with the counterinsurgency strategy, who said we will not only clear an area but we will go in and hold it and build, looking to local leaders to tell us what they are doing.

My son, who is a marine, an intel officer who served two tours there, said the first time he was there they couldn't get support from the local government because they were getting no assistance from Baghdad. They were Sunnis in Fallujah. The government in Baghdad was not Sunni; they were Shia, and they didn't provide assistance. The second time, the counterinsurgency and our government were working through the popularly elected Iraqi Government to provide support and assistance to the Sunnis in Fallujah. They were able to cooperate and provide assistance and make sure they kept that area safe.

We are trying to do the same thing now in Afghanistan. I am proud that the Missouri National Guard is leading the way, along with 10 other States' national guards, and we are sending over agricultural development teams to help the local farmers develop a more effective means of producing crops. We saw, last year, in Kandahar province, where the Missouri National Guard operated for 1 year. They started producing much more high-valued crops. As a result, they no longer needed to produce the poppies needed by the drug lords to manufacture cocaine and dope and opium. They were able to drive the poppy producers—put them into productive use and take the drug lords out, and the Taliban which normally follows them. This is working in Afghanistan.

In areas where we have peaceful governments that are threatened by extremist groups, it makes sense that we increase economic assistance but primarily personal assistance—one-on-one assistance from American volunteers going there—economic assistance, encouraging American firms to invest there, to help them develop small- and medium-sized enterprises; opening up free trade so their products can come into the United States so we can trade with them and so they can build their economies. We need significantly to increase educational exchanges between our countries and theirs.

I mentioned earlier that President Yudhoyono had served in the IMET Program at Fort Leavenworth. I first met him as President—well, I met him before—when I went to Indonesia after the tsunami in Bugatchi, and we talked about the work we were doing to help them recover from that tragic event. But I also extended an invitation for him to come to Webster University in St. Louis, MO, from which he had also gotten a degree. They gave him an honorary degree, and I was pleased to introduce him when he came to St. Louis to Webster University.

His is just one of hundreds, thousands, millions of examples where we have helped develop leaders in countries with which we are allied and which can be even stronger allies. They could take the information we develop, take the learning and the skills we have, and provide the assistance they need to strengthen their country, to provide not only security but a good livelihood for their people so there will no longer be unemployed young men who are willing to take blood money from the terrorists in exchange for a pittance for their family to conduct terrorist attacks.

We think we have a great opportunity not only in Indonesia, following these steps—expanding on the Smart Power that has been used in Iraq, is now being used in Afghanistan—to show that people who work with the United States can expect not domination but help in establishing their own free country, their own democratically elected principles, respect for human rights, and a respect for religious differences so that we respect Muslims and they respect Christians and Jews and Buddhists and Hindus.

That was the original idea of the country of Indonesia when it was founded in the 1940s. They laid out the principles of Pancasila—in which we recognize diversity; we recognize there are different religions; we will learn from and tolerate differences, particularly in religion.

We have a challenge facing us in Indonesia and others where extremists want to establish shariah law, which has mullahs and ayatollahs who prescribe very harsh penalties for women who step out of place, who appear without total cover in broad daylight, where anybody who commits a violent crime is either thrashed or has a hand cut off or is put to death. This kind of backward approach to maintaining law and order is a threat to the civilized world and progress as we know it.

In Indonesia, we have the opportunity to move forward, and I congratulate the people of Indonesia. I particularly congratulate Susilo Bambang Yudhoyono and Vice President Boediono on their election—reelection—on July 8, and we look forward to seeing the final results certified on July 27. I hope I will have the support of my colleagues for the robust foreign operations support for Smart Power. It is the wave of the future.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WYDEN. Mr. 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. WYDEN. Mr. President, as the Congress focuses on health care reform, I wanted to take a few minutes to discuss one approach that has been documented by the Congressional Budget Office as producing significant cost savings in American health care. That approach is free choice and rewards for selecting health care wisely.

Today, 85 percent of American businesses that offer health care coverage offer no choices. That is not because they would not like to. Quite the contrary; they would very much like to offer additional private sector choices. But for example, if you are a small businessperson—and I know the distinguished Senator from Alaska identifies with this—and you go out into that broken private insurance market, with huge administrative costs very often approaching 30 percent, you can't offer choices. Without choices there can't be real competition and accountability in health care. As a result, costs go up and care for our workers and our employers and small businesses and others becomes less affordable.

Some in America enjoy a better system, one where they have a full array of private sector health care choices.

Everyone in this Chamber knows what that is all about because it is the system we have as Members of Congress. We get a menu—a menu of private health plan offerings. The plans that are offered to Members of Congress can't discriminate, for example, against someone with a preexisting illness.

You go into a large group where you have a lot of bargaining power, which means you can hold down costs, and you don't face discrimination on the basis of age. That is particularly important because it looks as if under some of the approaches that are being discussed in the Congress there could be significant discrimination against older workers.

I believe all Americans should have the opportunity to be part of a health care system where they have more choices, and they are in a position to benefit from the wise selection of those kinds of choices. I think that will lead to reduced costs, and I think it will lead to more affordable health care coverage.

The legislation that is being developed in the Congress would not allow most people to have the free choice of insurance exchange plans. In fact, it wouldn't allow them to have free choice of health plans generally, whether they are in a private plan or a public plan. Without choice, there won't be competition to hold down costs.

So I very much hope in the weeks ahead Democrats and Republicans alike will come to see what the Budget Office has documented, and that is free choice of an increased menu of private sector health care—where the insurance companies can't cherry-pick, where they can't discriminate against someone with a preexisting illness, where people would go into a large group, and where you don't have older workers being discriminated against—will hold down skyrocketing health care costs and help keep quality health coverage affordable. I would hope Democrats and Republicans would see that kind of approach, with expanded choices, would help hold down health care costs and make health care more affordable for our people.

The reason I have focused on this question of holding down costs, making coverage more affordable by expanding choices—free choice, as I call it—is in light of the discussion we have held this week in the Senate on the costs of health care reform.

I note my friend from Utah, Senator HATCH, is here. He is someone who has, in my view, done so much good work on health care for children, for community health centers, for a variety of needs in our country. He and I participated in discussions, particularly in the Senate Finance Committee, about how to come up with additional money to expand coverage, particularly for the more than 45 million Americans who don't have coverage.

The Finance Committee is going to continue to grapple with this issue, but I only wanted to talk about cost savings through free choice today because I believe that is what most Americans look at first.

Most Americans feel very strongly that they want to get all our people covered. They know it is a disgrace that, in a country as rich and strong and good as ours, that close to 50 million people do not have coverage.

But they are also very concerned about the idea that, when you are already spending $2.5 trillion annually on health care, before you go out and spend a trillion dollars or more to pay for expanding coverage, you better have a plan to save money through choice, through the kinds of approaches I have been talking about in order to be credible. It is not credible to go to the American people and say we need $1 trillion or more to expand coverage, expand coverage and pay this huge sum on top of the $2.5 trillion being spent today, unless you have an actual plan to hold down costs and generate savings.

That is why I hope the Democrats and Republicans will look at how the Congressional Budget Office has documented that, through choice, you can generate significant cost savings and make health care more affordable.

I am concerned that the point I have made this morning has gotten a bit lost as the focus this week has been on the question of paying this very large additional sum to finance coverage expansion. There is no question that at a time of soaring deficits, the Congress must pay attention to what it costs to pay for health reform.

It would be fiscally irresponsible to pass health reform that is not paid for. But it would be equally irresponsible to pass a bill that is labeled health reform that fails to put a lid on the skyrocketing costs of our health care system. The two go hand in hand.

So what will provide significant savings? All the experts agree that we need to change incentives and behavior to change how people buy and use their health care.

First, show that you can generate cost savings for all Americans through increasing choice and rewarding those who make a wise selection of their coverage. That, in my view, ought to be built around what the Congressional Budget Office has documented, which is savings through an approach very much like what Members of Congress have. If you do that first, then you have the credibility to go back and say to the American people: Here are the choices in front of us for expanding coverage to the close to 50 million people who do not have it today.

What I have tried to describe this morning is a way to keep faith with the small business owners who are across this country, from Coos Bay, OR, to Oyster Bay, Long Island. Let's keep faith with them by showing we are going to hold down costs and then also, in a bipartisan way, come together and grapple with the question Senator HATCH and I were discussing with our colleagues this week, which is how to best and most responsibly finance coverage for the close to 50 million Americans who do not have it. I believe we can do it. I believe the approach I have outlined this morning is one path to do it.

I have never said, in the course of health reform debates, that it is my way or the highway. But I think we certainly ought to learn from the constructive analyses done by the Congressional Budget Office that show it is possible to get hard cost savings, not within a decade but within a matter of years, by expanding choices for our people and rewarding those who make a wise selection from that menu of choices.

I yield the floor.

Mr. HATCH. Mr. President, I note the Senator from Oregon has to read some things, but I have a brief additional comment to make and then I ask unanimous consent I be given the floor thereafter.

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

Mr. HATCH. Mr. President, the distinguished Senator from Oregon is one of the leading figures on health care in this Congress and has been in the past. He is thoughtful. He works very hard. He is one of the most contributing members of the Senate Finance Committee and I, personally, respect him very much and we have a very dear friendship. I appreciate the kind remarks he has expressed about me here today.

Mr. WYDEN. Mr. President, I have unanimous consent requests to make. Before I do that, I wish to say, again, how much I appreciate the Senator from Utah and his involvement and particularly his leadership on health care issues. When you look at the array of important legislation that has clearly improved American health care, Senator HATCH's name is all over that legislation.

Think about landmark legislation for children. It could not have happened without Senator HATCH. He and I have written legislation together. One of the accomplishments of which I am most proud is that we found a bipartisan way to increase coverage for community health centers by lowering their malpractice costs. I think it was an example of the way Senator HATCH approaches that kind of legislation. He brought together advocates of low-income people, trial lawyers, community health centers. Everybody said you could not find common ground among those kinds of organizations, and with Senator HATCH's leadership we were able to do it.

I am going to make a unanimous consent request, but I wish to tell the Senator from Utah I am convinced this year we are going to be able to pass health reform. One of the reasons we are going to be able to do it is because of both the good will and the expertise of the Senator from Utah. I am very

much looking forward to working with him on that.

Mr. HATCH. I thank the distinguished Senator from Oregon and appreciate his remarks.

The PRESIDING OFFICER. The Senator from Utah.

OBAMANOMICS

Mr. HATCH. Mr. President, I rise today to talk about the richest nan in the world, the new king of the hill. No, you won't find this financial titan in Forbes magazine's list of the world's billionaires. He hasn't started a mega-computer software company like Bill Gates. Nor has he made shrewd investments like Warren Buffet or even inherited this money like the Walton family of Wal-Mart fame.

No, the billions amassed over the years by those business magnates are chump change compared to that collected by the current champ, who has ascended to the title of the world's wealthiest man by collecting trillions of dollars in a mere 155 days.

He now owns two auto-manufacturing companies, oil sands and offshore drilling leases, interest in several hundred banks, and enough real estate holdings to make Donald Trump envious. In fact, managing this vast portfolio has become too time-consuming and too much for him to handle. He recently said, ''I don't want to run auto companies. I don't want to run banks. I've got two wars I've got to run already. I've got more than enough to do. So the sooner we can get out of that business, the better off we're going to be.''

I doubt even John D. Rockefeller, Cornelius Vanderbilt, Andrew Carnegie or William Randolph Hearst could ever have dreamed about having that amount of control. But despite his professed eagerness to divest himself of his newfound, unprecedented wealth, the reigning world's richest man, President Obama, seems reluctant to relinquish his vast holdings.

Indeed, I am beginning to think he actually enjoys this—well, what I call ''Obamanopoly.'' Soon, he will own all the railroads, all the utilities, Park Place and Boardwalk. And when taxpayers pick up the yellow or orange cards from the stacks, they will have to dig deeper in their wallet to fund this high-stakes Obamanopoly.

OK, I realize that our President does not really personally own all this wealth. But while I am speaking tongue in cheek, my remarks do point to the very real serious consequences of an ever-expanding U.S. Government. I care a great deal for the President, and I don't want to personally offend him. But I think the point is made.

We are moving toward what I have referred to as the ''Europeanization of America.'' On the spectrum between anarchy and a centralized government invested with complete power and control, our current government is so far removed from the limited government that our Founding Fathers intended that they must be rolling over in their graves.

There is method to this unprecedented meddling in the private sector. As the government acquires more auto manufacturers, banks, insurance companies and other private-sector businesses, we become more dependent on the government. The Obama administration's answer to everything is to take control of companies, increase regulation and spend, spend, spend. They are now talking about taxing and taxing more.

Not only does the government have more control over the economy, but it has a freer rein to regulate and restrict free speech. Modern political thought is, in many respects, based on a distinction between the public and private spheres. Liberal democracies—using the word ''liberal'' in the classical sense—have historically been based on the notion that there are realms that are ripe for government involvement—the public sphere—and others that should remain unaffected by government—the private sphere.

This was one of the central ideas behind the drafting of our Constitution and the founding of our Nation. Indeed, the Founding Fathers were all too aware of the problems that could arise under a government that is too expansive and too powerful. As James Madison, one of the main architects of the Constitution argued, ''All men having power ought to be distrusted to a certain degree.''

Because of this inherent distrust of those holding power, our Nation's Founders devised a government that was allowed to exercise its enumerated powers. As Alexander Hamilton stated, when it comes to framing a desirable government, ''[Y]ou must first enable the government to control the governed, and in the next place, oblige it to control itself.'' He also said, ''Indeed, the genius of our Constitution is that it provides an effective government that is subject to strict limitations.''

But it isn't only in the Constitution that we can observe the relevance of this public-private distinction during the Founding Fathers' generation. The beliefs, practices, and culture of that era further demonstrate just how separate and distinct our nation has traditionally viewed the public and private spheres. French political philosopher Alexis de Tocqueville, in observing the uniqueness of American government and culture, described how private citizens in America addressed needs in their communities. He stated:

> When a private individual mediates an undertaking, however directly connected it may be with the welfare of society, he never thinks of soliciting the cooperation of the Government, but he publishes his plan, offers to execute it himself, courts the assistance of other individuals, and struggles manfully against all obstacles. Undoubtedly he is often less successful than the State might have been in his position; but in the end the sum of these private undertakings far exceeds all that the Government could have done.

I believe this spirit of private determination still exists in our country today. I have argued many times that the American people are the most inventive and innovative people in the world. However, in an era when the President can impact huge portions of the American economy, that spirit is given little opportunity to work its magic in the private sector. Indeed, James Madison argued that ''there are more instances of the abridgement of freedom of the people by gradual and silent encroachments by those in power than by violent and sudden usurpations.'' I wonder how Madison would have viewed some of our current President's recent decisions.

Ours is a government that from the very beginning has been limited in what it can do and how far in may encroach into the private sphere. Those limits are not defined by the Nation's economic circumstances or political winds. There is not an exception in the Constitution that allows popular Presidents to exercise more power than unpopular ones. Ours is the oldest functioning constitutional republic on the planet, not because of change, hope, or adaptation, but because of consistency and respect for the limitations imposed upon our institutions. I believe many of the times we have struggled have been those in which we have strayed from the principal obligation that our Constitution imposes on the Federal Government—the obligation to control itself.

One such example—one often cited by the administration and my Democratic colleagues to justify the steps the President has taken—is the Great Depression. Some may say the Great Depression was the last time we saw such an expansion of government power. It came in the form of FDR's New Deal, which is now the model for how the majority and this President intend to remake the Federal Government and our economy. They credit the New Deal with ending the depression and claim that this new expansion will cure our current economic ills.

I hope, for our country's sake, that they are wrong.

What New New Deal proponents don't mention when making their case, is that even with Roosevelt's policies in place, the depression lasted for over a decade and, in fact, deepened in the late 1930s. Coincidentally—and I use that word sarcastically—the New Deal's supposed effect wasn't fully realized until the United States entered World War II.

Now, I don't mean to argue that our current situation is directly comparable to the Great Depression. I would say it is far from it. But I do hope that the Democrats' long-term plan isn't to keep expanding the Federal Government for several years, wait for an unforeseen outside calamity to take place and rescue the economy, and then take credit for the recovery.

To be sure, Roosevelt's New Deal was not without some success. But it largely failed to restore prosperity to the American economy because instead of implementing policies aimed as fostering economic growth and expansion, it was designed as a top-down restructuring of the economy—making the government the major decisionmaker in economic matters. The results were labor policies designed to preset wages at levels preferred by unions, regardless of market conditions; trade and manufacturing polices designed to set production at levels other than those set by supply and demand; and taxes on businesses that stifled growth and prevented them from hiring new employees.

Sadly, the President and the majority leadership in Congress have apparently decided that despite hat these shortcomings, the New Deal should be repeated. We have seen it in the President's efforts to seize control of auto companies, only to hand it over to his labor union supporters. We see it in proposals here in Congress to use the bankruptcy code to basically preset interest rates for lenders—and at a time when credit is is already getting harder to come by. And we are seeing it in their proposals to raise taxes on small businesses despite harsh economic times and rising unemployment.

President Obama may be the richest man in America these days, but he is doing so on the back of the American taxpayers. If history is any indication, his efforts will not leave anyone else in America any richer or better off.

It is not hard to find examples of the government growing at an exceptionally fast pace. Just by looking at the number of government employees as a percentage of America's population, one can easily see how we have increased the size of the government. In 1815, the U.S. numbered 8.3 million people, 4,837 of which were government employees. In other words, only about one-twentieth of 1 percent of Americans worked for the government. In 2007, our Nation numbered 281 million Americans, 2.7 million of them government workers. That is nearly 1 percent of the population, or about 20 times the number of government employees in 1815. That percentage will certainly increase, given this President's budget, which contains 121 new government programs.

Another indication of the growth of government power can be illustrated through the amount of government spending. Organization of Economic Cooperation and Development figures show that government spending in the U.S. is on the rise, comparable with that of many European countries. In fact, government spending has decreased in most European nations, while it has increased in the United States.

In France, for example, government spending is close to 50 percent of GDP, while England's government spending is roughly 44 percent of GDP, and Germany's is 45 percent of GDP. In the United States, Federal Government spending has been around 20 percent. However, to accurately compare the U.S. to European nations, it is necessary to include State and local spending.

Once that is factored in, U.S. Government spending exceeds 37 percent of GDP, and that is before President Obama's stimulus package and budget for this year are taken into account. Thus, it is almost a forgone conclusion that by the end of this year, total government spending in the United States will approach that of many European governments. We have jumped way ahead from the 2008 figure, with the current figure on that chart, just barely behind the European countries.

If you take a look at President Obama's past 5 months in office, you will see the largest proposed 10-year spending increase in our Nation's history. We have a stimulus bill worth $787 billion, or close to $1.3 trillion if interest is taken into account. We have nearly exhausted the $700 billion Troubled Asset Relief Program, and we have a budget proposal estimated to create a $9 trillion deficit over the next 10 years. According to the Congressional Budget Office, that is what is going to happen.

To put that another way, Federal spending would be nearly 24 percent of our Nation's GDP. Government spending, alone, in 2009 will reach 27 percent. That is Federal Government spending alone. In 2009, it will reach 27 percent. When you add in State and local spending, that would put us nearly on par in total government spending with Germany. You can see from this chart, we are almost right there.

The American people, especially Utahans, are speaking out against this increase in the size of government. They are organizing ''Tax Enough Already,'' or TEA, rallies around the country, and they are fed up with government bailout after bailout. They correctly wonder when or if this government expansion will ever stop.

That is why I have introduced two pieces of legislation to reduce government spending. One is called the Limitation on Government Spending Act, the LOGS Act, to limit government spending to 20 percent of GDP. The second is called the Stop TARP Asset Recycling Act, the STAR Act, and that is to prevent perpetual bailouts and to repay our national debt with returned TARP funds—don't just take them and spend more. Give them back to the taxpayers. Give them back to the government so we can pay down some of these deficits and some of these problems that are going on. They are two very important bills.

Let me discuss them again. The Limitation on Government Spending Act would limit government spending to the national historic average of 20 percent of GDP. While I believe government spending should be much lower than that, the least we can do is ensure that government spending does not get out of control like the way it is currently headed.

Furthermore, the Stop TARP Asset Recycling Act would require all funds paid out of the Troubled Asset Relief Program, or TARP—and that amounted to $700 billion—as to all those funds that are returned or paid back, they must be placed in the general fund to pay down the Nation's debt instead of being recycled back into TARP or more spending. Otherwise, TARP could become a revolving slush fund for the Treasury Department to bail out or seize companies. It is time we put an end to that.

The Obama administration's honeymoon is over. More Americans than ever agree we need to rein in this administration's runaway government spending. I might add, we better be prepared for massive taxation too. Their belief is to spend and tax and build the Federal Government at all costs. More Americans than ever agree we need to rein in this administration's runaway government spending.

According to a Washington Post-ABC News poll, barely half of Americans are now confident that President Obama's $787 billion stimulus measure will boost the economy. Think about it: barely half of all Americans. Furthermore, a USA Today poll reveals that a 51-percent majority disapproved of the job he has done in controlling Federal spending. Even President Obama agrees with this.

After the massive amounts of government spending he has signed into law, President Obama had the audacity to proclaim in an April 18 weekly address that we need to restore responsibility and accountability to our Federal budget. Who are we kidding? The President cannot put us on the course to a $9 trillion deficit and then tell us we need to be more fiscally responsible. That is akin to someone killing their parents, and then complaining about being an orphan.

In the same address, the President continued this hypocrisy by saying, ''We are on an unsustainable course'' and ''we need to restore the people's confidence in government by spending their money wisely.'' But wait. It gets even better. After signing into law a $787 billion stimulus and a $3 trillion deficit, he nobly stated:

> If we want to spend, we need to find somewhere else to cut.

If you doubt the hypocrisy, you do not have to look further than the current health care debate or the cap-and-trade program he proposes to pay for by levying even more taxes. The closest the President has come to cut spending was by calling upon his Department heads to find $100 million in savings—$100 million. I guess you would call that ''pocket change'' we can believe in.

Enough is enough. No more spending. No more taxes. No more government expansion. We are not looking for a new New Deal. We are looking for

smaller, more efficient government. We are not looking for another government bailout. Whatever happened to: Ask not what your country can do for you, ask what you can do for your country?

Where ''Obamanopoly'' is concerned, it is time to say: Game over. It is time to pull the reins on this headlong rush toward the Europeanization of America. As former President Gerald Ford said:

> A government that is big enough to give you all you want is big enough to take it all away.

I am concerned about what is going on. I admit that President Obama is a very attractive human being. I personally like him. But I think this tax-and-spend set of policies we are seeing is taking our country down to the point of ruin, and we have to stand up and stop it. I have to tell you, if we do not do it, our kids and our grandkids and our great-grandkids—and Elaine and I have all three—are going to be paying a huge price.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT

Mr. DODD. Mr. President, yesterday I was unable to be here for the consideration and final passage of the Homeland Security Appropriations Act because of a death in my family, but I would like to submit my support for this important legislation for the RECORD.

Whether it is a natural disaster or an act of terrorism, we must maintain the ability to respond quickly and efficiently to security challenges. No job is more important than keeping our citizens safe, and no one does that job better than our front line public safety officials. This legislation provides them with the resources they need.

My fellow Connecticut residents and I know first hand how important it is to be prepared. Just last week, officials from FEMA and DHS toured Farmington and Wethersfield after tornadoes toppled trees and utility lines, damaging buildings and closing roads. The worst of the storm hit Wethersfield square-on, severely damaging 70 houses and leaving several to be condemned.

It is rare that a tornado touches down in Connecticut, but it reminds us that disaster can happen anytime, anyplace, anywhere.

At these moments of crisis, we must be assured that our communities have the first-responder personnel, training, and equipment necessary to keep families safe.

That is why I authored and continue to support the Assistance to Firefighters, FIRE, Grant Program to help equip and train firefighters, and the Staffing for Adequate Fire and Emergency Response, SAFER, Grant Program to increase the number of firefighting personnel.

We have made the Federal Government a partner to our Nation's firefighters and because we did, we have delivered more than $55 million to Connecticut communities in the last decade.

This year's bill includes $420 million in SAFER grants—double the amount appropriated last year. This funding will help to stem the tide of layoffs so that our communities can be protected by an adequate number of dedicated firefighters.

In addition, I was pleased that the Senate accepted an amendment I offered that provides an additional $10 million to the FIRE Grant Program. This increase will help more local fire departments equip and train first responders in Connecticut and across the country.

The bill also provides $300,000 for the Coast Guard Academy in New London to begin work on Eagle Pier, which will be the permanent home of the EAGLE, the historic tall ship seized from Germany during World War II.

For more than 60 years, Eagle Pier was the home of the Coast Guard Training Vessel EAGLE, but in recent years, as the aging pier has fallen into disrepair, the EAGLE has been homeported at a pier at Fort Trumbull.

The EAGLE is a Connecticut icon and one of only two remaining commissioned sailing vessels in American Government service, the other being Boston's USS Constitution.

In addition to showcasing a rich history, the EAGLE serves as a modern day seagoing classroom for Coast Guard Cadets, providing hands-on maritime instruction to supplement the students' rigorous classroom workload.

This bill makes important investments in our domestic security, first responders, and the State of Connecticut, and I am proud to support it.

AMENDMENT NO. 1430

Mr. CASEY. Mr. President, today, I join with Senator SANDERS, my colleague from Vermont, and Senator CARPER, my colleague from Delaware, in supporting an increase in funding for two essential programs in the fiscal year 2010 Homeland Security appropriations bill to support our brave firefighters: assistance to firefighter grants, AFG, and staffing for adequate fire and emergency response grants, SAFER.

The Assistance to Firefighter Grants, AFG, Program, commonly referred to as fire grants, helps fund the purchase of urgently needed emergency response equipment, apparatus, and training. The AFG Program relies on direct input from the locally affected fire services in the grant process to ensure funding reaches those agencies that are most in need. A fiscal year 2007 review of AFG by the Department of Homeland Security found this program to be 95 percent effective, the second highest rating of any program at the Department.

A recent needs assessment survey conducted by the Fireman's Fund Insurance Company found that 60 percent of respondents report that their local fire department has delayed equipment replacement purchases due to the economic downturn, and 50 percent reported that if economic conditions do not improve in the next year, it could affect their ability to provide service to their communities. Local fire department and EMS agencies need fire grants to continue to ensure the safety of citizens across the country.

A fire company in McAdoo County, located in east-central Pennsylvania, used its fire grant to purchase an automatic defibrillator. The biggest killer of firefighters in the line of duty is heart attacks, and now the brave men and women at McAdoo Fire Company are better protected as they risk their lives every day to help those in emergency situations.

SAFER grants assist fire departments in the hiring of career firefighters and the recruitment and retention of volunteer firefighters. The single most significant challenge facing volunteer fire service is recruitment and retention. Over the past two decades, the percentage of volunteer firefighters under the age of 40 has shrunk from 65 percent to 50 percent. The SAFER Grant program was created to provide funding directly to fire departments and volunteer firefighter organizations in order to help them increase the number of trained, ''front-line'' firefighters available in their local communities. SAFER grants enhance the ability of local fire departments' to comply with staffing, response and operational standards.

The Center Township Volunteer Fire Department, located in western Pennsylvania, received a SAFER grant in March of 2009. With that funding, they can recruit more volunteer firefighters and retain those who already give so generously of themselves in efforts to protect and help others. SAFER grants are particularly beneficial to municipalities that are growing by expanding the number of firefighters in conjunction with increased population growth and greater housing development. I am proud of the courage and self-sacrifice of volunteer firefighters in my home State and across the Nation and want to ensure that the Federal Government supports their dedication.

This amendment offers critical funding assistance to emergency first responders and ensures that the safety of our citizens remains a national priority.

COMMENDING NORM COLEMAN

Mr. HATCH. Mr. President, I wish to speak in honor of the service of my good friend, Senator Norm Coleman. Senator Coleman was among the more thoughtful and intelligent Senators that I have known. His presence in this Chamber will be sorely missed.

Senator Coleman came to the Senate with more insight into the lives and needs of his constituents than most obtain after years of service in Congress. He was elected mayor of St. Paul, MN,

in 1993. Of course, at that time he was a Democrat, but I don't hold it against him. He eventually realized the error of his ways and was reelected as a Republican in 1997. He became the most popular and well known mayor in Minnesota, mostly because he shared something in common with Minnesotans: a love of hockey.

In 1993, the Minnesota North Stars became the Dallas Stars, leaving the State of Minnesota without a franchise in the National Hockey League. Norm shared the view of probably every Minnesotan that this was just not right. Honestly, how can you have an NHL without a team in Minnesota? Due in large part to Mayor Coleman's lobbying efforts the NHL awarded St. Paul an expansion franchise in 1997, the Minnesota Wild.

You would think that bringing hockey back to Minnesota would be enough to get him elected to any office he wanted in the state. But, as many have observed, the people of Minnesota are unpredictable. In the 1998 gubernatorial election, in a race that grabbed the attention of many people throughout the country, Norm finished just 3 percentage points behind Jesse Ventura, whose preGovernor career was, to put it lightly, a colorful one.

Though this result had to be difficult for Norm, I think we all ultimately benefited from the outcome of that race. Norm was elected to the Senate in 2002 and immediately became known for his thoughtful demeanor and his dedication to the people of Minnesota. He was a loyal Republican, but he was also willing to work with those in the opposing party to help the State of Minnesota and the Nation as a whole. He supported President Bush, but, as should be expected of any loyal supporter, he was not afraid to express his disagreement or offer his advice with regard to changes and reforms. Indeed, I think Republicans and Democrats alike have had a good working relationship with Senator Coleman because, as many have noted here today, he was more concerned with getting things done and being true to his convictions than he was about being political and towing the party line.

Mr. President, while I welcome Senator Coleman's successor, I must admit that I was disappointed when I heard of the final decision of the Minnesota Supreme Court. Obviously, I don't like seeing the number of Republicans in the Chamber go down. But, more importantly, I am sad to see the Senate lose such a vibrant and intelligent voice. Indeed, I think his views and statements on the legislation being considered by the Senate this year would add greatly to the debate.

I want to wish Senator Coleman the best of luck in his future endeavors. While I am sure that he will be a valuable asset for any effort with which he becomes involved, I am more certain that he will be missed here in the Senate.

CHILDREN'S HOSPITAL OF PHILADELPHIA

Mr. SPECTER. Mr. President, I have sought recognition today to congratulate and recognize a tremendous asset to the children of Philadelphia, PA, the United States, and really the world—the Children's Hospital of Philadelphia. The hospital, or CHOP as it is known, has been ranked first in children's cancer, diabetes and endocrine disorders, neonatal care, respiratory disorders and urology care by U.S. News & World Report. I congratulate the hospital's president and chief executive officer, Dr. Steven Altschuler, and his team of over 10,0000 employees for this tremendous accomplishment.

CHOP was the Nation's first established children's hospital, growing from its original structure with 12 beds on Philadelphia's Watts Street to a sprawling campus in West Philadelphia with over 40 outpatient locations throughout southeast Pennsylvania and New Jersey, providing care to over 1 million patients last year.

CHOP notably provides the highest level of pediatric care and conducts groundbreaking research through funding from the National Institutes of Health. When I came to the Senate in 1981, funding for the NIH totaled $3.6 billion. Since becoming LHHS Chairman in 1996, Senator HARKIN and I have succesfully worked to more than double NIH funding, which was $12.7 billion at that time. In the fiscal year 2009 Senate LHHS Appropriations Subcommittee bill, we provided $30.2 billion for NIH funding, a $1 billion increase from fiscal year 2008. We also secured an additional $10 billion in funding through an amendment to the American Recovery and Reinvestment Act. I recently visited CHOP for a townhall meeting and was able to see firsthand some major discoveries that have occurred there as a result of NIH-funded research.

In a conversation with Dr. Philip Johnson, the director of CHOP's Research Institute, I learned about an experimental therapy developed at CHOP using elements of the body's immune system to improve cure rates for children with neuroblastoma, a challenging cancer of the nervous system. This type of cancer is very aggressive, causing 15 percent of all childhood cancer deaths. I am told that patients who received this therapy were 20 percent more likely to live disease-free two years after treatment. Shortly after visiting CHOP, I also learned of a study led by Dr. Johnson that could lead to an HIV vaccine, by inserting a gene into the muscle that can cause it to produce protective antibodies. AIDS is one of the most devastating pandemics, having killed more than 25 million people. Such a vaccine appears years away from realization; however, with continued investment from the NIH, it is possible that this work could save millions of lives.

I have fought and will continue to fight for increased funding for the NIH because medical research saves and improves lives. The medical research at CHOP, through federally funded NIH support, provides children with a real chance to be cured so that they may continue to grow and prosper.

As we continue the debate around health reform, it is important that we recognize the unique needs of children. As I stated, CHOP served over 1 million patients last year. When it opened in 1855, it treated just 63 patients in its first year. Clearly the demand for highly specialized, pediatric care is growing not only in Pennsylvania but throughout the United States; however, there are shortages in the number of pediatric specialists able to treat children with very particular needs. That is why it is important to support programs, such as the Children's Hospitals Graduate Medical Education Program, to help children's hospitals train future pediatricians. I have supported ample funding for this program because it helps address a national dilemma and provides children's hospitals with the resources they need to foster innovation and improve quality.

Mr. President, the accomplishments seen at the Children's Hospital of Philadelphia are unique and revolutionary. I am proud of CHOP for their efforts to improve children's health care and promote health and wellness.

MOLDOVA'S UPCOMING ELECTION

Mr. CARDIN. Mr. President, the Republic of Moldova holds repeated parliamentary elections on July 29, after previous elections on April 5 this year were followed by youth protests to display their lack of trust in the electoral process. These protests turned violent and led to arrests of hundreds of protesters, their severe beatings, and inhumane treatment while in police custody. Even an independent member of Parliament, Valentina Cusnir, was abused and beaten by police, suffering injuries. Three young men have died, and the cause of death is reported to be injuries from the beatings they received. Foreign journalists were expelled and local reporters were arrested and intimidated, their equipment was confiscated. The parliamentarian opposition parties, which accused the Communist Party in power of election fraud, have boycotted elections of the new President that, ultimately, triggered repeated elections. The Organization for Security and Cooperation in Europe stated that Moldova's recent elections had ''shortcomings that challenged some OSCE commitments, in particular the disregard for due process in adjudicating complaints of alleged irregularities and deficiencies in the compilation of voter lists lodged by opposition political parties.''

On July 29, the Government of Moldova has another chance to show her citizens and the international community that it remains committed to

democratic principles and international standards. Moldovan authorities must provide access for all electoral participants and civil society experts to public media outlets, as well as ensure the ability of voters abroad to participate in this important poll. The United States should condition good relations with the new government of Moldova based on its respect for the rule of law and human rights. The U.S. Helsinki Commission, which I chair, will continue to monitor the conduct of the electoral process in Moldova and will hold a public briefing following the elections.

ADDITIONAL STATEMENTS

TRIBUTE TO LOUISIANA WWII VETERANS

• Ms. LANDRIEU. Mr. President, I am proud to honor a group of 92 World War II veterans from all over Louisiana who will travel to Washington, DC on May 16 to visit the various memorials and monuments that recognize the sacrifices of our Nation's invaluable servicemembers.

Louisiana HonorAir, a group based in Lafayette, LA, sponsored this trip to the Nation's Capital. The organization is honoring surviving World War II Louisiana veterans by giving them an opportunity to see the memorials dedicated to their service. The veterans will visit the World War II, Korea, Vietnam, and Iwo Jima memorials. They will also travel to Arlington National Cemetery.

This was the final of four flights Louisiana HonorAir made to Washington, DC, this spring. It is the 17th flight to depart from Louisiana, which has sent more HonorAir flights than any other State to the Nation's Capital.

World War II was one of America's greatest triumphs but was also a conflict rife with individual sacrifice and tragedy. More than 60 million people worldwide were killed, including 40 million civilians, and more than 400,000 American servicemembers were slain during the long war. The ultimate victory over enemies in the Pacific and in Europe is a testament to the valor of American soldiers, sailors, airmen, and marines. The years 1941 to 1945 also witnessed an unprecedented mobilization of domestic industry, which supplied our military on two distant fronts.

In Louisiana, there remain today more than 30,000 living WWII veterans, and each one has a heroic tale of achieving the noble victory of freedom over tyranny. This group had 32 veterans who served in the U.S. Army, 16 in the U.S. Air Force, 37 in the Navy, 4 in the Coast Guard, 2 in the Marine Corps, and 1 in WAVES.

Our heroes, many of them from the Shreveport area, trekked the world for their country. They fought in Germany, France, Italy, Africa, Japan, Guam, Bougainville, Guadalcanal, China, Iwo Jima, Okinawa, the Philippines, Tarawa, New Guinea, Korea, Thailand, and Saipan. Their journeys included the invasions of North Africa, Sicily and Normandy, New Georgia, and the Battle of Midway. Their fight for freedom even extended to Iceland and the Marshall and Solomon Islands.

One of our Navy veterans received the Asiatic Pacific Purple Heart, and an Army veteran fought at Normandy and received EAME Campaign and Bronze Service Star medals. Yet another Army veteran fought five major battles of European theatre.

A USMC veteran was one of four brothers serving in the Marines and fought in Guadalcanal, Bougainville, Guam, Saipan, and Okinawa. He lost his twin brother in Guam.

A Navy veteran observed the atomic bomb test at Bikini and was in Tokyo Bay the morning of the Japanese surrender. Another veteran was awarded five naval battle stars for his service in the invasions of Bougainville, Saipan, Iwo Jima, and Okinawa.

I ask the Senate to join me in honoring these 92 veterans, all Louisiana heroes, who visited Washington, and Louisiana HonorAir for making these trips a reality.•

MESSAGE FROM THE HOUSE

At 10:59 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2997. An act 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.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 127. Concurrent resolution recognizing the significance of National Caribbean-American Heritage Month.

H. Con. Res. 131. Concurrent resolution 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.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 127. Concurrent resolution recognizing the significance of National Caribbean-American Heritage Month; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2997. An act 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.

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 Mrs. GILLIBRAND:

S. 1438. A bill to express the sense of Congress on improving cybersecurity globally, to require the Secretary of State to submit a report to Congress on improving cybersecurity, and for other purposes; to the Committee on Foreign Relations.

By Mr. WYDEN (for himself, Mr. CRAPO, Ms. CANTWELL, Mr. ENZI, and Mr. SCHUMER):

S. 1439. A bill to provide for duty-free treatment of certain recreational performance outerwear, and for other purposes; to the Committee on Finance.

By Mr. WYDEN:

S. 1440. A bill to establish requirements applicable across the military departments for the retention in the Armed Forces of members who seek to remain in the Armed Forces following injury or disability incurred in the line of duty in the Armed Forces; to the Committee on Armed Services.

By Mr. WYDEN:

S. 1441. A bill to amend title 38, United States Code, to grant family of members of the uniformed services temporary annual leave during the deployment of such members; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Ms. SNOWE, and Mr. UDALL of New Mexico):

S. 1442. A bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service-learning opportunities on public lands, establish a grant program for Indian Youth Service Corps, help restore the Nation's natural, cultural, historic, archaeological, recreational, and scenic resources, train a new generation of public land managers and enthusiasts, and promote the value of public service; to the Committee on Energy and Natural Resources.

By Mr. INHOFE (for himself, Mr. CORNYN, and Mr. VITTER):

S. 1443. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to modify State responsibilities under such Act; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 42

At the request of Mr. ENSIGN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 42, a bill to amend title II of the Social Security Act to preserve and protect Social Security benefits of American workers and to help ensure greater congressional oversight of the Social Security system by requiring that both Houses of Congress approve a totalization agreement before the agreement, giving foreign workers Social Security benefits, can go into effect.

S. 348

At the request of Mr. ROCKEFELLER, the name of the Senator from Kansas (Mr. ROBERTS) 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. 457

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 457, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies.

S. 475

At the request of Mr. BURR, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Texas (Mr. CORNYN) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 475, a bill to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

S. 559

At the request of Mr. WYDEN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 559, a bill to provide benefits under the Post-Deployment/Mobilization Respite Absence program for certain periods before the implementation of the program.

S. 629

At the request of Ms. COLLINS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 629, a bill to facilitate the part-time reemployment of annuitants, and for other purposes.

S. 694

At the request of Mr. DODD, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 694, a bill to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 711

At the request of Mr. BAUCUS, the name of the Senator from Oregon (Mr. WYDEN) 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. 823

At the request of Ms. SNOWE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 823, a bill to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of operating losses, and for other purposes.

S. 891

At the request of Mr. BROWNBACK, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 891, a bill to require annual disclosure to the Securities and Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes.

S. 934

At the request of Mr. HARKIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor 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. 935

At the request of Mr. CONRAD, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 935, a bill to extend subsections (c) and (d) of section 114 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173) to provide for regulatory stability during the development of facility and patient criteria for long-term care hospitals under the Medicare program, and for other purposes.

S. 1157

At the request of Mr. THUNE, his name was added as a cosponsor of S. 1157, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S. 1265

At the request of Mr. CORNYN, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 1265, a bill to amend the National Voter Registration Act of 1993 to provide members of the Armed Forces and their family members equal access to voter registration assistance, and for other purposes.

S. 1284

At the request of Ms. SNOWE, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor 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. SPECTER, his name was added as a cosponsor of S. 1304, a bill to restore the economic rights of automobile dealers, and for other purposes.

S. 1415

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1415, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to ensure that absent uniformed services voters and overseas voters are aware of their voting rights and have a genuine opportunity to register to vote and have their absentee ballots cast and counted, and for other purposes.

S.J. RES. 17

At the request of Mr. MCCONNELL, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor 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 name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. CRAPO, Ms. CANTWELL, Mr. ENZI, and Mr. SCHUMER):

S. 1439. A bill to provide for duty-free treatment of certain recreational performance outerwear, and for other purposes; to the Committee on Finance

Mr. WYDEN. Mr. President, I rise today to introduce the U.S. Outdoor Act. no denying that this economy has got Americans worried. People are stressed, and with good reason. One thing that we see time and again during recessions is that people look to get their minds off the tough times for just a little while with low-cost, simple activities that the whole family can enjoy. Outdoor recreation fits that bill; it makes people healthier and happier too.

But recreational performance outerwear—jackets and pants used for skiing and snowboarding, mountaineering, hunting, fishing, and dozens of other outdoor activities—are assessed some of the highest duty rates applied to any products imported into the U.S. These disproportionately high tariffs, let us call them what they are, taxes, were originally implemented to protect U.S. outerwear manufacturers from foreign competition. Instead, now these import taxes stifle innovation, add substantial costs for outdoor businesses, and ultimately raise the prices we all pay at the cash register. We can fix this, help these companies to better compete globally while investing in eco-friendly technology and jobs here in the U.S., and help consumers in these tough times so more people can get out and enjoy the great outdoors.

So today, I am proud to introduce the U.S. Optimal Use of Trade to Develop Outerwear and Outdoor Recreation Act, or the U.S. Outdoor Act. This bill is the result of partnership between performance outerwear manufacturers and the domestic textile and

apparel industry. In 2007, the U.S. International Trade Commission found that there was no commercially viable production of performance outerwear in the U.S.. This legislation reflects those findings, and makes a solid investment in U.S. jobs. It spurs outdoor recreation and its industry, which accounts for $730 billion dollars and 65 million jobs across the U.S., with 73,000 jobs in Oregon, and this bill can potentially create many more. This would also help lower costs for consumers, who pay $289 billion in outdoor retail sales and services across the country, with $4.6 billion in Oregon.

The U.S. Outdoor Act eliminates the import duty for qualifying recreational performance outerwear, bringing duties that can be as high as 28 percent down to zero. It also establishes the Sustainable Textile and Apparel Research, STAR, fund, which invests in U.S. technologies and jobs that focus on sustainable, environmentally conscious manufacturing, helping textile and apparel companies work towards minimizing their energy and water use, reducing waste and their carbon footprint, and incorporating efficiencies that help them better compete globally.

The U.S. Outdoor Act reduces the costs for U.S. companies and consumers, encourages Americans to take part in healthy and active lifestyles through outdoor recreation, spurs economic activity, invests in the U.S. textile industry, supports American jobs and competitiveness, and encourages sustainable business practices to benefit the environment so we all can continue to enjoy the beauty that is the great outdoors.

I want to thank the Outdoor Industry Association, for their tireless work with my office, and with the U.S. ITC and other agencies in perfecting this bill. I also want to acknowledge and thank those in the U.S. textile and apparel industry who have partnered with the outdoor industry to develop a thoughtful and well balanced bill that supports American jobs and U.S. technologies. I thank my house colleague, Congressman BLUMENAUER, who had introduced an earlier version of this bill in the last Congress and is introducing companion legislation. Finally, thank you to my Senate colleagues, Senator CRAPO, who is an original cosponsor of this bill, Senator CANTWELL, Senator ENZI, and Senator SCHUMER.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

On Thursday, July 9, the Senate passed H.R. 2892, as amended, as follows:

H.R. 2892

Resolved, That the bill from the House of Representatives (H.R. 2892) entitled ''An Act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes.'', do pass with the following amendment:

Strike out all after the enacting clause and insert:

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: Provided, That of the total amount made available under this heading, $5,000,000 shall not be obligated until the Chief Financial Officer or an individual acting in such capacity submits a financial management improvement plan that addresses the recommendations outlined in the Department of Homeland Security Office of Inspector General report # OIG–09–72, including yearly measurable milestones, to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That the plan described in the preceding proviso shall be submitted not later than January 4, 2010.

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. Immigration 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 not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit a report to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that includes (1) a plan for the acquisition of alternative temporary housing units, and (2) procedures for expanding repair of existing multifamily rental housing units authorized under section 689i(a) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 776(a)), semi-permanent, or permanent housing options: 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. 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''.

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''.

SEC. 550. 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. 551. 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. 552. 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. 553. 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. 554. From the unobligated balances of prior year appropriations made available for ''Analysis and Operations'', $5,000,000 are rescinded.

SEC. 555. From the unobligated balances of prior year appropriations made available for U.S. Immigration and Customs Enforcement ''Construction'', $7,000,000 are rescinded.

SEC. 556. 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. 557. 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. 558. 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. 559. (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.

BORDER FENCE COMPLETION

SEC. 560. (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.

SEC. 561. None of the amounts made available under this Act may be used to implement changes to 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).

SEC. 562. None of the funds made available under this Act may be obligated for the construction of the National Bio and Agro-defense Facility on the United States mainland until 90 days after the later of—

(1) the date on which the Secretary of Homeland Security completes a site-specific bio-safety and bio-security mitigation assessment to determine the requirements necessary to ensure safe operation of the National Bio and Agro-defense Facility at the preferred site identified in the January 16, 2009, Record of Decision published in Federal Register Vol. 74, Number 111; or

(2) the date on which the Secretary of Homeland Security, in coordination with the Secretary of Agriculture, submits to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report that—

(A) describes the procedure that will be used to issue the permit to conduct foot-and-mouth disease live virus research under section 7524 of the Food, Conservation, and Energy Act of 2008 (21 U.S.C. 113a note; Public Law 110–246); and

(B) includes plans to establish an emergency response plan with city, regional, and State officials in the event of an accidental release of foot-and-mouth disease or another hazardous pathogen.

SEC. 563. (a) Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Attorney General and the Administrative Office of the United States Courts, shall submit a report to the congressional committees set forth in subsection (b) that provides details about—

(1) additional Border Patrol sectors that should be utilizing Operation Streamline programs; and

(2) resources needed from the Department of Homeland Security, the Department of Justice, and the Judiciary, to increase the effectiveness of Operation Streamline programs at some Border Patrol sectors and to utilize such programs at additional sectors.

(b) The congressional committees set forth in this subsection are—

(1) the Committee on Appropriations of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Appropriations of the House of Representatives;

(4) the Committee on the Judiciary of the House of Representatives; and

(5) the Committee on Homeland Security and Governmental Affairs of the Senate.

MARITIME TRANSPORTATION SECURITY INFORMATION

SEC. 564. (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.''.

DEFINITION OF SWITCHBLADE KNIVES

SEC. 565. Section 4 of 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. 1244) is amended—

(1) by striking ''or'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; or'' and

(3) by adding at the end the following:

''(5) a knife that 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.''.

FEDERAL DEPOSIT INSURANCE ACT TECHNICAL CORRECTION

SEC. 566. (a) APPLICABLE ANNUAL PERCENTAGE RATE OF INTEREST.—Section 44(f)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1831u(f)(1)) is amended—

(1) in the matter preceding subparagraph (A), by inserting ''(or in the case of a governmental entity located in such State, paid)'' after ''received, or reserved''; and

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by striking ''nondepository institution operating in such State'' and inserting ''governmental entity located in such State or any person that is not a depository institution described in subparagraph (A) doing business in such State'';

(B) by redesignating clause (ii) as clause (iii);

(C) in clause (i)—

(i) in subclause (III)—

(I) in item (aa), by adding ''and'' at the end;

(II) in item (bb), by striking '', to facilitate'' and all that follows through ''2009''; and

(III) by striking item (cc); and

(ii) by adding after subclause (III) the following:

''(IV) the uniform accessibility of bonds and obligations issued under the American Recovery and Reinvestment Act of 2009;''; and

(D) by inserting after clause (i) the following:

''(ii) to facilitate interstate commerce through the issuance of bonds and obligations under any provision of State law, including bonds and obligations for the purpose of economic development, education, and improvements to infrastructure; and''.

(b) EFFECTIVE PERIOD.—The amendments made by this section shall apply with respect to contracts consummated during the period beginning on the date of enactment of this Act and ending on December 31, 2010.

DETAINEE PHOTOGRAPHIC RECORDS PROTECTION AND OPEN FREEDOM OF INFORMATION ACT

SEC. 567. (a) DETAINEE PHOTOGRAPHIC RECORDS PROTECTION.—(1) SHORT TITLE.—This subsection may be cited as the ''Detainee Photographic Records Protection Act of 2009''.

(2) DEFINITIONS.—In this subsection:

(A) COVERED RECORD.—The term ''covered record'' means any record—

(i) that is a photograph that—

(I) was taken during the period beginning on September 11, 2001, through January 22, 2009; and

(II) relates to the treatment of individuals engaged, captured, or detained after September 11, 2001, by the Armed Forces of the United States in operations outside of the United States; and

(ii) for which a certification by the Secretary of Defense under paragraph (3) is in effect.

(B) PHOTOGRAPH.—The term ''photograph'' encompasses all photographic images, whether originals or copies, including still photographs, negatives, digital images, films, video tapes, and motion pictures.

(3) CERTIFICATION.—

(A) IN GENERAL.—For any photograph described under paragraph (2)(A)(i), the Secretary of Defense shall issue a certification, if the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, determines that the disclosure of that photograph would endanger—

(i) citizens of the United States; or

(ii) members of the Armed Forces or employees of the United States Government deployed outside the United States.

(B) CERTIFICATION EXPIRATION.—A certification under subparagraph (A) and a renewal of a certification under subparagraph (C) shall expire 3 years after the date on which the certification or renewal, as the case may be, is made.

(C) CERTIFICATION RENEWAL.—The Secretary of Defense may issue—

(i) a renewal of a certification in accordance with subparagraph (A) at any time; and

(ii) more than 1 renewal of a certification.

(D) NOTICE TO CONGRESS.—A timely notice of the Secretary's certification shall be submitted to Congress.

(4) NONDISCLOSURE OF DETAINEE RECORDS.—A covered record shall not be subject to—

(A) disclosure under section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act); or

(B) disclosure under any proceeding under that section.

(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to preclude the voluntary disclosure of a covered record.

(6) EFFECTIVE DATE.—This subsection shall take effect on the date of enactment of this Act and apply to any photograph created before, on, or after that date that is a covered record.

(b) OPEN FREEDOM OF INFORMATION ACT.—

(1) SHORT TITLE.—This subsection may be cited as the ''OPEN FOIA Act of 2009''.

(2) SPECIFIC CITATIONS IN STATUTORY EXEMPTIONS.—Section 552(b) of title 5, United States Code, is amended by striking paragraph (3) and inserting the following:

''(3) specifically exempted from disclosure by statute (other than section 552b of this title), if that statute—

''(A)(i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue; or

''(ii) establishes particular criteria for withholding or refers to particular types of matters to be withheld; and

''(B) if enacted after the date of enactment of the OPEN FOIA Act of 2009, specifically cites to this paragraph.''.

SEC. 568. (a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall, in consultation with the entities specified in subsection (c), submit to Congress a report on improving cross-border inspection processes in an effort to reduce the time to travel between locations in the United States and locations in Ontario and Quebec by intercity passenger rail.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) an evaluation of potential cross-border inspection processes and methods including rolling inspections that comply with Department of Homeland Security requirements that would reduce the time to perform inspections on routes between locations in the United States and locations in Ontario and Quebec by intercity passenger rail;

(2) an assessment of the extent to which improving or expanding infrastructure and increasing staffing could increase the efficiency with which intercity rail passengers are inspected at border crossings without decreasing security;

(3) an updated evaluation of the potential for pre-clearance by the Department of Homeland Security of intercity rail passengers at locations along routes between locations in the United States and locations in Ontario and Quebec, including through the joint use of inspection facilities with the Canada Border Services Agency, based on the report required by section 1523 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 121 Stat. 450);

(4) an estimate of the timeline for implementing the methods for reducing the time to perform inspections between locations in the United States and locations in Ontario and Quebec by intercity passenger rail based on the evaluations and assessments described in paragraphs (1), (2), and (3); and

(5) a description of how such evaluations and assessments would apply with respect to—

(A) all existing intercity passenger rail routes between locations in the United States and locations in Ontario and Quebec, including designated high-speed rail corridors;

(B) any intercity passenger rail routes between such locations that have been used over the past 20 years and on which cross-border passenger rail service does not exist as of the date of the enactment of this Act; and

(C) any potential future rail routes between such locations.

(c) ENTITIES SPECIFIED.—The entities to be consulted in the development of the report required by subsection (a) are—

(1) the Government of Canada, including the Canada Border Services Agency and Transport Canada and other agencies of the Government of Canada with responsibility for providing border services;

(2) the Provinces of Ontario and Quebec;

(3) the States of Maine, Massachusetts, New Hampshire, New York, and Vermont;

(4) the National Railroad Passenger Corporation; and

(5) the Federal Railroad Administration.

ADMINISTRATIVE LAW JUDGES

SEC. 569. The administrative law judge annuitants participating in the Senior Administrative Law Judge Program managed by the Director of the Office of Personnel Management under section 3323 of title 5, United States Code, shall be available on a temporary reemployment basis to conduct arbitrations of disputes as part of the arbitration panel established by the President under section 601 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 164).

PROPER DISPOSAL OF PERSONAL INFORMATION COLLECTED THROUGH THE REGISTERED TRAVELER PROGRAM

SEC. 570. (a) IN GENERAL.—Any company that collects or retains personal information directly from individuals who participated in the Registered Traveler program shall safeguard and dispose of such information in accordance with the requirements in—

(1) the National Institute for Standards and Technology Special Publication 800–30, entitled ''Risk Management Guide for Information Technology Systems''; and

(2) the National Institute for Standards and Technology Special Publication 800–53, Revision 3, entitled ''Recommended Security Controls for Federal Information Systems and Organizations,'';

(3) any supplemental standards established by the Assistant Secretary, Transportation Security Administration (referred to in this section as the ''Assistant Secretary'').

(b) CERTIFICATION.—The Assistant Secretary shall require any company through the sponsoring entity described in subsection (a) to provide, not later than 30 days after the date of the enactment of this Act, written certification to the sponsoring entity that such procedures are consistent with the minimum standards established under paragraph (a)(1–3) with a description of the procedures used to comply with such standards.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary shall submit a report to Congress that—

(1) describes the procedures that have been used to safeguard and dispose of personal information collected through the Registered Traveler program; and

(2) provides the status of the certification by any company described in subsection (a) that such procedures are consistent with the minimum standards established by paragraph (a)(1–3).

IMMIGRATION PROVISIONS

SEC. 571. (a) SPECIAL IMMIGRANT NONMINISTER RELIGIOUS WORKER PROGRAM.—

(1) EXTENSION.—Section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(27)(C)(ii)), as amended by section 2(a) of the Special Immigrant Nonminister Religious Worker Program Act (Public Law 110–391), is amended by striking ''September 30, 2009'' each place such term appears and inserting ''September 30, 2012''.

(2) STUDY AND PLAN.—Not later than the earlier of 90 days after the date of the enactment of this Act or March 30, 2010, the Director of United States Citizenship and Immigration Services shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that includes—

(A) the results of a study conducted under the supervision of the Director to evaluate the Special Immigrant Nonminister Religious Worker Program to identify the risks of fraud and noncompliance by program participants; and

(B) a detailed plan that describes the actions to be taken by the Department of Homeland Security against noncompliant program participants and future noncompliant program participants.

(3) PROGRESS REPORT.—Not later than the earlier of 90 days after the submission of the report under subsection (b) or June 30, 2010, the Director of United States Citizenship and Immigration Services shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that describes the progress made in reducing the number of noncompliant participants of the Special Immigrant Nonminister Religious Worker Program.

(b) CONRAD STATE 30 J–1 VISA WAIVER PROGRAM.—Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) is amended by striking ''September 30, 2009'' and inserting ''September 30, 2012''.

(c) RELIEF FOR SURVIVING SPOUSES.—

(1) IN GENERAL.—The second sentence of section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i)) is amended by striking ''for at least 2 years at the time of the citizen's death''.

(2) APPLICABILITY.—

(A) IN GENERAL.—The amendment made by paragraph (1) shall apply to all applications and petitions relating to immediate relative status under section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i)) pending on or after the date of the enactment of this Act.

(B) TRANSITION CASES.—

(i) IN GENERAL.—Notwithstanding any other provision of law, an alien described in clause (ii)

who seeks immediate relative status pursuant to the amendment made by paragraph (1) shall file a petition under section 204(a)(1)(A)(ii) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)(ii)) not later than the date that is 2 years after the date of the enactment of this Act.

(ii) ALIENS DESCRIBED.—An alien is described in this clause if—

(I) the alien's United States citizen spouse died before the date of the enactment of this Act;

(II) the alien and the citizen spouse were married for less than 2 years at the time of the citizen spouse's death; and

(III) the alien has not remarried.

(d) HUMANITARIAN CONSIDERATION FOR PENDING PETITIONS AND APPLICATIONS.—

(1) AMENDMENT.—Section 204 of the Immigration and Nationality Act (8 U.S.C. 1154) is amended by adding at the end the following:

''(l) HUMANITARIAN CONSIDERATION FOR PENDING PETITIONS AND APPLICATIONS.—

''(1) IN GENERAL.—An alien described in paragraph (2) who was the beneficiary or derivative beneficiary of a petition (as defined in section 204, 207, or 208) filed on behalf of the alien or principal beneficiary before the death of the qualifying relative and who continues to reside in the United States shall have such petition and any related or subsequent applications for adjustment of status to that of a person admitted for lawful permanent residence adjudicated as if the death had not occurred, unless the Secretary of Homeland Security determines, in the unreviewable discretion of the Secretary, that approval would not be in the public interest.

''(2) ALIEN DESCRIBED.—An alien described in this paragraph is an alien who, immediately prior to the death of his or her qualifying relative, was—

''(A) an immediate relative (as described in section 201(b)(2)(A)(i));

''(B) a family-sponsored immigrant (as described in subsection (a) or (d) of section 203);

''(C) a derivative beneficiary of an employment-based immigrant under section 203(b) (as described in section 203(d));

''(D) a spouse or child of a refugee (as described in section 207(c)(2)); or

''(E) an asylee (as described in section 208(b)(3)).''.

(2) CONSTRUCTION.—Nothing in the amendment made by paragraph (1) may be construed to limit or waive any ground of removal, basis for denial of petition or application, or other criteria for adjudicating petitions or applications as otherwise provided under the immigration laws of the United States other than ineligibility based solely on the lack of a qualifying family relationship as specifically provided by such amendment.

SEC. 572. (a) The amount appropriated under the heading ''Firefighter Assistance Grants'' under the heading ''Federal Emergency Management Agency'' under by title III for necessary expenses for programs authorized by the Federal Fire Prevention and Control Act of 1974 is increased by $10,000,000 for necessary expenses to carry out the programs authorized under section 33 of that Act (15 U.S.C. 2229).

(b) The total amount of appropriations under the heading ''Aviation Security'' under the heading ''Transportation Security Administration'' under title II, the amount for screening operations and the amount for explosives detection systems under the first proviso under that heading and the amount for the purchase and installation of explosives detection systems under the second proviso under that heading are reduced by $4,500,000.

(c) From the unobligated balances of amounts appropriated before the date of enactment of this Act for the appropriations account under the heading ''State and Local Programs'' under the heading ''Federal Emergency Management Agency'' for ''Trucking Industry Security Grants'', $5,500,000 are rescinded.

SEC. 573. 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 the prescription drug may not be—

PROPER AWARDING OF INCENTIVE FEES FOR CONTRACT PERFORMANCE

SEC. 574. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 575. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any federal contract unless such contract is entered into in accordance with the requirements of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

CHECKING THE IMMIGRATION STATUS OF EMPLOYEES

SEC. 576. Section 403(a)(3)(A) 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 striking ''The person'' and inserting the following:

''(i) UPON HIRING.—The person''; and

(2) by adding at the end the following:

''(ii) EXISTING EMPLOYEES.—An employer that elects to verify the employment eligibility of existing employees shall verify the employment eligibility of all such employees not later than 10 days after notifying the Secretary of Homeland Security of such election.''.

This Act may be cited as the ''Department of Homeland Security Appropriations Act, 2010''.

DIRECTING THE ARCHITECT OF THE CAPITOL TO ENGRAVE THE PLEDGE OF ALLEGIANCE TO THE FLAG AND THE NATIONAL MOTTO IN THE CAPITOL VISITOR CENTER

Mr. WYDEN. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H. Con. Res. 131 at the desk and just received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A 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.

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

Mr. WYDEN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the concurrent resolution be printed in the RECORD, without intervening action or debate.

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

The concurrent resolution (H. Con. Res. 131) was agreed to.

DIRECTING THE ARCHITECT OF THE CAPITOL TO PLACE A MARKER IN EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 135 at the desk, just received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A 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.

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

Mr. WYDEN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table en bloc, and that any statements relating to the concurrent resolution be printed in the RECORD, without intervening action or debate.

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

The concurrent resolution (H. Con. Res. 135) was agreed to.

The preamble was agreed to.

JUVENILE SURVIVORS PROTECTION ACT OF 2009

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 88, S. 1107.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1107) to amend title 28, United States Code, to provide for a limited 6-month period for Federal judges to opt into the Judicial Survivors' Annuities System and begin contributing toward an annuity for their spouse and dependent children upon their death, and for other purposes.

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

Mr. WYDEN. Mr. Presdient, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1107) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1107

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 ''Judicial Survivors Protection Act of 2009''.

SEC. 2. DEFINITIONS.

In this Act:

(1) The term ''judicial official'' refers to incumbent officials defined under section 376(a) of title 28, United States Code.

(2) The term ''Judicial Survivors' Annuities Fund'' means the fund established under section 3 of the Judicial Survivors' Annuities Reform Act (28 U.S.C. 376 note; Public Law 94–554; 90 Stat. 2611).

(3) The term ''Judicial Survivors' Annuities System'' means the program established under section 376 of title 28, United States Code.

SEC. 3. PERSONS NOT CURRENTLY PARTICIPATING IN THE JUDICIAL SURVIVORS' ANNUITIES SYSTEM.

(a) ELECTION OF JUDICIAL SURVIVORS' ANNUITIES SYSTEM COVERAGE.—An eligible judicial official may elect to participate in the Judicial Survivors' Annuities System during the open enrollment period specified in subsection (d).

(b) MANNER OF MAKING ELECTIONS.—An election under this section shall be made in writing, signed by the person making the election, and received by the Director of the Administrative Office of the United States Courts before the end of the open enrollment period.

(c) EFFECTIVE DATE FOR ELECTIONS.—Any such election shall be effective as of the first day of the first calendar month following the month in which the election is received by the Director.

(d) OPEN ENROLLMENT PERIOD DEFINED.—The open enrollment period under this section is the 6-month period beginning 30 days after the date of enactment of this Act.

SEC. 4. JUDICIAL OFFICERS' CONTRIBUTIONS FOR OPEN ENROLLMENT ELECTION.

(a) CONTRIBUTION RATE.—Every active judicial official who files a written notification of his or her intention to participate in the Judicial Survivors' Annuities System during the open enrollment period shall be deemed thereby to consent and agree to having deducted from his or her salary a sum equal to 2.75 percent of that salary or a sum equal to 3.5 percent of his or her retirement salary, except that the deduction from any retirement salary—

(1) of a justice or judge of the United States retired from regular active service under section 371(b) or 372(a) of title 28, United States Code;

(2) of a judge of the United States Court of Federal Claims retired under section 178 of title 28, United States Code; or

(3) of a judicial official on recall under section 155(b), 373(c)(4), 375, or 636(h) of title 28, United States Code,

shall be an amount equal to 2.75 percent of retirement salary.

(b) CONTRIBUTIONS TO BE CREDITED TO JUDICIAL SURVIVORS' ANNUITIES FUND.—Contributions made under subsection (a) shall be credited to the Judicial Survivors' Annuities Fund.

SEC. 5. DEPOSIT FOR PRIOR CREDITABLE SERVICE.

(a) LUMP SUM DEPOSIT.—Any judicial official who files a written notification of his or her intention to participate in the Judicial Survivors' Annuities System during the open enrollment period may make a deposit equaling 2.75 percent of salary, plus 3 percent annual, compounded interest, for the last 18 months of prior service, to receive the credit for prior judicial service required for immediate coverage and protection of the official's survivors. Any such deposit shall be made on or before the closure of the open enrollment period.

(b) DEPOSITS TO BE CREDITED TO JUDICIAL SURVIVORS' ANNUITIES FUND.—Deposits made under subsection (a) shall be credited to the Judicial Survivors' Annuities Fund.

SEC. 6. VOLUNTARY CONTRIBUTIONS TO ENLARGE SURVIVORS' ANNUITY.

Section 376 of title 28, United States Code, is amended by adding at the end the following:

''(y) For each year of Federal judicial service completed, judicial officials who are enrolled in the Judicial Survivors' Annuities System on the date of enactment of the Judicial Survivors Protection Act of 2009 may purchase, in 3-month increments, up to an additional year of service credit, under the terms set forth in this section. In the case of judicial officials who elect to enroll in the Judicial Survivors' Annuities System during the statutory open enrollment period authorized under the Judicial Survivors Protection Act of 2009, for each year of Federal judicial service completed, such an official may purchase, in 3-month increments, up to an additional year of service credit for each year of Federal judicial service completed, under the terms set forth in section 4(a) of that Act.''.

SEC. 7. EFFECTIVE DATE.

This Act, including the amendment made by section 6, shall take effect on the date of enactment of this Act.

FOREIGN EVIDENCE REQUEST EFFICIENCY ACT OF 2009

Mr. WYDEN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1289, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1289) to improve title 18 of the United States Code.

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

Mr. WYDEN. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1289) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1289

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 ''Foreign Evidence Request Efficiency Act of 2009''.

SEC. 2. IMPROVEMENTS TO TITLE 18.

Title 18 of the United States Code is amended—

(1) in section 2703—

(A) in subsection (a), by striking ''by a court with jurisdiction over the offense under investigation or an equivalent State warrant'' and inserting ''(or, in the case of a State court, issued using State warrant procedures) by a court of competent jurisdiction'';

(B) in subsection (b)(1)(A), by striking ''by a court with jurisdiction over the offense under investigation or an equivalent State warrant'' and inserting ''(or, in the case of a State court, issued using State warrant procedures) by a court of competent jurisdiction''; and

(C) in subsection (c)(1)(A), by striking ''by a court with jurisdiction over the offense under investigation or an equivalent State warrant'' and inserting ''(or, in the case of a State court, issued using State warrant procedures) by a court of competent jurisdiction'';

(2) in section 2711(3), by striking ''has the meaning assigned by section 3127, and includes any Federal court within that definition, without geographic limitation; and'' and inserting the following: ''includes—

''(A) any district court of the United States (including a magistrate judge of such a court) or any United States court of appeals that—

''(i) has jurisdiction over the offense being investigated;

''(ii) is in or for a district in which the provider of a wire or electronic communication service is located or in which the wire or electronic communications, records, or other information are stored; or

''(iii) is acting on a request for foreign assistance pursuant to section 3512 of this title; or

''(B) a court of general criminal jurisdiction of a State authorized by the law of that State to issue search warrants; and'';

(3) in section 3127(2)(A), by striking ''having jurisdiction over the offense being investigated;'' and inserting the following: ''that—

''(i) has jurisdiction over the offense being investigated;

''(ii) is in or for a district in which the provider of a wire or electronic communication service is located;

''(iii) is in or for a district in which a landlord, custodian, or other person subject to subsections (a) or (b) of section 3124 of this title is located; or

''(iv) is acting on a request for foreign assistance pursuant to section 3512 of this title;'';

(4) in chapter 223, by adding at the end the following:

''§ 3512. Foreign requests for assistance in criminal investigations and prosecutions

''(a) EXECUTION OF REQUEST FOR ASSISTANCE.—

''(1) IN GENERAL.—Upon application, duly authorized by an appropriate official of the Department of Justice, of an attorney for the Government, a Federal judge may issue such orders as may be necessary to execute a request from a foreign authority for assistance in the investigation or prosecution of criminal offenses, or in proceedings related to the prosecution of criminal offenses, including proceedings regarding forfeiture, sentencing, and restitution.

''(2) SCOPE OF ORDERS.—Any order issued by a Federal judge pursuant to paragraph (1) may include the issuance of—

''(A) a search warrant, as provided under Rule 41 of the Federal Rules of Criminal Procedure;

''(B) a warrant or order for contents of stored wire or electronic communications or for records related thereto, as provided under section 2703 of this title;

''(C) an order for a pen register or trap and trace device as provided under section 3123 of this title; or

''(D) an order requiring the appearance of a person for the purpose of providing testimony or a statement, or requiring the production of documents or other things, or both.

''(b) APPOINTMENT OF PERSONS TO TAKE TESTIMONY OR STATEMENTS.—

''(1) IN GENERAL.—In response to an application for execution of a request from a foreign authority as described under subsection (a), a Federal judge may also issue an order appointing a person to direct the taking of testimony or statements or of the production of documents or other things, or both.

''(2) AUTHORITY OF APPOINTED PERSON.—Any person appointed under an order issued pursuant to paragraph (1) may—

''(A) issue orders requiring the appearance of a person, or the production of documents or other things, or both;

''(B) administer any necessary oath; and

''(C) take testimony or statements and receive documents or other things.

''(c) FILING OF REQUESTS.—Except as provided under subsection (d), an application for execution of a request from a foreign authority under this section may be filed—

''(1) in the district in which a person who may be required to appear resides or is located or in which the documents or things to be produced are located;

''(2) in cases in which the request seeks the appearance of persons or production of documents or things that may be located in multiple districts, in any one of the districts in which such a person, documents, or things may be located; or

''(3) in any case, the district in which a related Federal criminal investigation or prosecution is being conducted, or in the District of Columbia.

''(d) SEARCH WARRANT LIMITATION.—An application for execution of a request for a search warrant from a foreign authority under this section, other than an application for a warrant issued as provided under section 2703 of this title, shall be filed in the district in which the place or person to be searched is located.

''(e) SEARCH WARRANT STANDARD.—A Federal judge may issue a search warrant under this section only if the foreign offense for which the evidence is sought involves conduct that, if committed in the United States, would be considered an offense punishable by imprisonment for more than one year under Federal or State law.

''(f) SERVICE OF ORDER OR WARRANT.—Except as provided under subsection (d), an order or warrant issued pursuant to this section may be served or executed in any place in the United States.

''(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude any foreign authority or an interested person from obtaining assistance in a criminal investigation or prosecution pursuant to section 1782 of title 28, United States Code.

''(h) DEFINITIONS.—As used in this section, the following definitions shall apply:

''(1) FEDERAL JUDGE.—The terms 'Federal judge' and 'attorney for the Government' have the meaning given such terms for the purposes of the Federal Rules of Criminal Procedure.

''(2) FOREIGN AUTHORITY.—The term 'foreign authority' means a foreign judicial authority, a foreign authority responsible for the investigation or prosecution of criminal offenses or for proceedings related to the prosecution of criminal offenses, or an authority designated as a competent authority or central authority for the purpose of making requests for assistance pursuant to an agreement or treaty with the United States regarding assistance in criminal matters.''; and

(5) in the table of sections for chapter 223, by adding at the end the following:

''3512. Foreign requests for assistance in criminal investigations and prosecutions.''.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendars Nos. 195, 196, 261, 262, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, and 279; that the nominations be confirmed en bloc; the motions to reconsider be laid upon the table en bloc; that no further motions be in order, that any statements relating thereto be printed in the RECORD, the President of the United States be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nominations considered and confirmed, en bloc, are as follows:

ENVIRONMENTAL PROTECTION AGENCY

Peter Silva Silva, of California, to be an Assistant Administrator of the Environmental Protection Agency.

DEPARTMENT OF TRANSPORTATION

Victor M. Mendez, of Arizona, to be Administrator of the Federal Highway Administration.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Raphael William Bostic, of California, to be an Assistant Secretary of Housing and Urban Development.

David H. Stevens, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

DEPARTMENT OF STATE

Christopher William Dell, of New Jersey, 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 Kosovo.

Charles H. Rivkin, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to France, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to Monaco.

Louis B. Susman, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Kingdom of Great Britain and Northern Ireland.

Laurie Susan Fulton, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

Timothy J. Roemer, of Indiana, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to India.

Gordon Gray, of Virginia, 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 Tunisia.

Richard J. Schmierer, of Virginia, 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 Sultanate of Oman.

Mark Henry Gitenstein, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania.

DEPARTMENT OF LABOR

Phyllis Corrine Borzi, of Maryland, to be an Assistant Secretary of Labor.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Nicole Lurie, of Maryland, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Assistant Secretary for Preparedness and Response, Department of Health and Human Services.

DEPARMENT OF DEFENSE

Gordon S. Heddell, of the District of Columbia, to be Inspector General, Department of Defense.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDERS FOR MONDAY, JULY 13, 2009

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m. on Monday, July 13; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to the consideration of Calendar No. 89, S. 1390, the Department of Defense Authorization bill, as provided for under the previous order.

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

PROGRAM

Mr. REID. On Monday, the Senate will begin consideration of the Defense authorization bill. I expect next week to be a busy week as we work through amendments to this bill.

Under a previous order, at 4:30 p.m. on Monday, the Senate will turn to executive session to consider the nomination of Robert M. Groves to be Director of the Census. That vote will occur at 5:30.

As previously announced, there will be no rollcall votes after 2 p.m. on Tuesday, July 14.

ADJOURNMENT UNTIL 11 A.M., MONDAY, JULY 13, 2009

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 1:37 p.m., adjourned until Monday, July 13, 2009, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate, Friday, July 10, 2009:

ENVIRONMENTAL PROTECTION AGENCY

PETER SILVA SILVA, OF CALIFORNIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

DEPARTMENT OF TRANSPORTATION

VICTOR M. MENDEZ, OF ARIZONA, TO BE ADMINISTRATOR OF THE FEDERAL HIGHWAY ADMINISTRATION.

DEPARTMENT OF STATE

CHRISTOPHER WILLIAM DELL, OF NEW JERSEY, 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 KOSOVO.

CHARLES H. RIVKIN, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO FRANCE, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONACO.

LOUIS B. SUSMAN, OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND.

LAURIE SUSAN FULTON, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO DENMARK.

TIMOTHY J. ROEMER, OF INDIANA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO INDIA.

GORDON GRAY, OF VIRGINIA, 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 TUNISIA.

RICHARD J. SCHMIERER, OF VIRGINIA, 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 SULTANATE OF OMAN.

MARK HENRY GITENSTEIN, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ROMANIA.

DEPARTMENT OF LABOR

PHYLLIS CORRINE BORZI, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF LABOR.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NICOLE LURIE, OF MARYLAND, TO BE MEDICAL DIRECTOR IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS, AND TO BE ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

DEPARTMENT OF DEFENSE

GORDON S. HEDDELL, OF THE DISTRICT OF COLUMBIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

RAPHAEL WILLIAM BOSTIC, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DAVID H. STEVENS, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

EXTENSIONS OF REMARKS

EARMARK DECLARATION

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. JONES. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of HR 3082—Military Construction and Veterans Affairs Appropriations Act, 2010.

Rep. WALTER B. JONES

Project: Radar Approach Control (RAPCON) Complex at Seymour Johnson Air Force Base Phase 1

Recipient: Seymour Johnson Air Force Base, 1510 Wright Brothers Ave., Seymour Johnson AFB, NC 27531

Account: Military Construction, Air Force

Amount: $6,900,000

Explanation: The existing Radar Approach Control (RAPCON) Complex and Ground to Air Transmitter/Receiver (GATR) at Seymour Johnson Air Force Base are inadequately configured for today's mission and high-tech equipment. Replacing these facilities would improve Air Force operations and safety and save money by sharply reducing the cost of maintaining the existing outdated infrastructure.

EARMARK DECLARATION

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 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. 2996, The Department of Interior Appropriations Act for FY2010.

Requesting Member: Congressman ROY BLUNT

Priority Name: McDonald County for Wastewater Infrastructure—Public Water Supply District #1 of McDonald County

Authorized Amount: $244,000

Account: STAG Water and Wastewater Infrastructure Project

Legal Name of Requesting Entity: McDonald County, Missouri

Address of Requesting Entity: PO Box 345, Pineville, MO 64856

Description of Request: This funding will be used by Public Water Supply District (PWSD) #1 toward the second phase of a wastewater expansion project to augment recently constructed infrastructure financed from PWSD funds. The proposed project will supply the Village of Jane with needed sewer service. The Village of Jane is a small but rapidly growing community in south-central McDonald County on the bank of Little Sugar Creek, a 303d impaired waterway.

The use of taxpayer funds is justified because in addition to the benefits of improved water quality within the Little Sugar Creek watershed and encouraging additional commercial and residential development in the area, the proposed project will also provide needed wastewater service to properties recently purchased by the McDonald County R–1 School District and Crowder College to house a second high school campus and a community college campus respectively.

HONORING THE PUBLIC SERVICE AND RETIREMENT OF KATHY MELSTON

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. HALL of Texas. Madam Speaker, I rise today to honor a true public servant who has dedicated her life to promoting reading and library use, Ms. Kathy Melston, who recently retired as Library Director of the Rockwall County Library in my hometown.

Early on, Kathy recognized the emerging need for adult literacy. As a result, the award-winning Reading for Adults program was established in 2000. This program has grown from two students and five tutors to 68 volunteer tutors and 300 students, of which many have earned GEDs and their citizenship through this process. The innovative ''Rock and Read'' fundraiser supporting the program won the literacy award from the Texas State Reading Association.

Kathy is accredited by many for promoting bond propositions to purchase land and construct a new state-of-the-art library in Rockwall. County Commissioner Lorie Grinnan maintains that with Kathy's intelligence, extensive knowledge base and dedication, she has been able to steer Rockwall County through a time of tremendous growth and change. Kathy's belief that the main purpose of a library is to serve its community has been the foundation of the loyalty and dedication of her staff, volunteers and the Friends of the Library.

During her 20 years as Library Director, Kathy has provided vision, enthusiasm, and results in Rockwall County. She was named the Rockwall Soroptimist Professional Woman of the Year, served on several RISD committees, and was President and Secretary of the Public Library Administrators of North America. She is a member of Delta Kappa Gamma and is a Lector and Eucharistic Minister at her church.

Kathy's recent retirement is bittersweet for those who know, love and respect her. They are happy for this new phase of her life which will be filled with travel, home projects, volunteering and a chance to read all of the books for which she will finally have the time. But, at the same time, they feel some distress at the loss of personal connections established between Kathy and the library patrons.

In September, at the grand opening of the new library, many noticed a large corner spot with a beautiful view, filled with flowers and cards with a brass plaque on the door identifying the Kathleen Melston Quiet Reading Room. This tribute from staff, friends and volunteers recognizes Kathy's enormous impact on the community.

Madam Speaker, I am proud to join the Rockwall County Library, Friends of the Library, and Rockwall citizens in congratulating Ms. Kathy Melston on her retirement. I can't think of a better testament to public service than educating tomorrow's leaders, and Ms. Melston is to be commended for her commitment to the advancement of reading literacy. Please join me in honoring her on this prestigious occasion.

PERSONAL EXPLANATION

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. THOMPSON of California. Madam Speaker, on July 9, 2009, I was unavoidably unable to cast my vote for rollcall 512. Had I been present, I would have voted ''aye.''

EARMARK DECLARATION

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. ROGERS of Alabama. Madam Speaker, in accordance with the Republican Conference standards regarding Member initiatives, I am submitting the following information regarding the earmark I received as part of the Military Construction and Veterans Affairs Appropriations Act for Fiscal Year 2010.

Requesting Member: Congressman MIKE ROGERS (Alabama)

Bill Number: H.R. 3082, Military Construction—Veterans Affairs Appropriations Act for FY 2010

Account: Military Construction, Army

Legal Name of Receiving Entity: Congressman MIKE ROGERS

Address of Receiving Entity: Anniston Army Depot, 7 Frankford Avenue, Anniston, AL 36201

Description of Request: Provide $3,300,000 in funding for the Industrial Area Electrical System Upgrade. This funding will be used to construct electrical system upgrades to the area south of Third Avenue in the industrial area. Construction will include new power poles, cross arms, insulators, cutouts, re closers, anchor systems, wire, transformers, underground duct and circuit breakers for a couplet 12470 volt electrical service system in the area south of Third Avenue in the industrial area. This construction will provide upgraded

overhead lines and underground service from the power poles to pad mounted transformers that supply each building. Construct the secondary for a 10.5 MVA 44.000/12/470 volt substation. The substation secondary will consist of vacuum breakers, voltage regulator, bypass switches and the structural steel. Anti-terrorism/force protection measures will include observance of vehicle access sitting distances, landscaping berms, exterior lighting, laminated glass, and walkway bollards.

EARMARK DECLARATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. SIMPSON. Madam Speaker, in accordance with the policies and standards put forth by the House Appropriations Committee and the GOP Leadership, I place in the RECORD a listing of the congressionally-directed projects I have requested in my home state of Idaho that are contained in the report of H.R. 3082, the FY2010 House Military Construction, Veterans Affairs and Related Agencies Bill.

Project Name: Civil Engineer Maintenance Complex at Mountain Home Air Force Base

Amount Received: $690,000

Account: Air Force Military Construction Account

Recipient: 366th Wing, Mountain Home Air Force Base, Idaho

Recipient's Street Address: 366 Gunfighter Avenue, Ste 107, Mountain Home Air Force Base, Idaho, 83648

Description: The civil engineer functions are currently dispersed among 10 WWII-era wood-frame and Korean War-era facilities. Wood frame facilities have a RAC 2 due to failing roof structures and cracked and spreading concrete foundations that have contributed to failing floors and trusses, presenting risk to squadron members who work in the facilities. Currently, employees must evacuate during heavy snowfall or high winds. The fire safety deficiencies are endemic to all buildings, the patchwork electric wiring is maxed out, which increases fire risk, and the HVAC systems can't keep buildings heated and cooled. The dispersed locations and failing conditions of existing facilities adversely affects all daily Civil Engineering operations and negatively impacts the Wing's mission. This funding will be used for planning and design.

Project Name: Logistics Readiness Center

Amount Received: $20,000,000

Account: Air Force Military Construction Account

Recipient: 366th Wing, Mountain Home Air Force Base, Idaho

Recipient's Street Address: 366 Gunfighter Avenue, Ste 107, Mountain Home Air Force Base, Idaho, 83648

Description: The existing Logistics Supply is a condemned 53-year-old wooden structure beyond economical repair. The roof is held up with temporary structural supports. The building is evacuated and now 60% of base supply functions operate from temporary spaces across base, creating significant delays in troop/equipment mobilization. This negatively impacts the Wing's ability to demolish and relocate from other substandard facilities on base. When funded, the Logistics Readiness Center will provide command and control for all materials in-bound and outbound, including freight processing, packing, crating, pallet buildup shop, and provide bulk and bin storage. The facility will also support secure storage, an armory, and have administrative areas.

I appreciate the opportunity to provide a list of Congressionally-directed projects in the report accompanying the FY2010 Military Construction, Veterans Affairs and Related Agencies Appropriations bill on behalf of Idaho and provide an explanation of my support for them.

TRIBUTE TO LIEUTENANT GENERAL FRANCES C. WILSON

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. SKELTON. Madam Speaker, let me take this time to honor a dedicated military educator, Lieutenant General Frances C. Wilson, who will be retiring as the President of the National Defense University, after having served this nation for 37 years in the United States Marine Corps.

Culminating with her appointment as President of the National Defense University in 2006, General Wilson has, throughout her career, focused on professional education while working tirelessly to create an educated and well-trained class of American warriors. She has completed seven advanced training courses, including Harvard's Senior Executive Course in National Security, and earned four Master degrees along with a Doctorate in Education. Through these impressive academic undertakings, General Wilson acquired the knowledge and skills needed to prepare America's future officers for the complex contemporary world.

Most impressively, General Wilson has relentlessly used her extensive education to increase the capabilities of our Armed Forces. She commanded the Fourth Recruit Training Battalion at Parris Island, directed the Manpower Management Division at Marine Corps Headquarters, and managed the military's Reserve forces while a member of the Reserve Force Policy Board. Through her leadership in these posts, General Wilson greatly advanced the professional development of the marines under her command and helped to mold a vibrant military education system.

As President of the National Defense University, General Wilson understood the critical need for National Security Professionals within the Executive Branch. She spearheaded the development of the National Security Education Consortium and, recognizing the importance of international cooperation, established educational partnerships with 79 nations, especially our NATO allies. Additionally, she added three Masters degrees to the University's curriculum while managing NDU's reaccredidation process. As a strong proponent of military education myself, I could not be more pleased with General Wilson's efforts or the many accolades she has received over her long career.

General Wilson's leadership has strengthened both the Marine Corps and the professional military education system. As a staunch believer in continuous education for professional soldiers, I am proud of her commitment to lifelong study and the development of America's warriors. I trust that Members of the House will join me in congratulating General Wilson for her contributions to the United States of America.

EARMARK DECLARATION

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. TIAHRT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks in H.R. 3082—Military Construction and Veterans Affairs Appropriations Act. H.R. 3082 contains $8,700,000 for TFI—Upgrade DCGS Facilities (PRQE089032) in the Air Force, Military Construction account. This project is for Air National Guard at McConnell Air Force Base located 57837 Coffeyville St., Kansas, 67221.

The funds will build an adequately sized and properly configured facility for personnel, equipment, and materials, for near-real time intelligence mission conducting the processing, exploitation, and dissemination of U–2, MQ–1 Predator, and RQ–4 Global Hawk sensor data around the world in support of warfighters by the growing 161st Intelligence Squadron of the new 184th Intelligence Group. Security features, high-capacity environmental control equipment, high-capacity secure fiber optics, and redundant power supplies are all prerequisites to accommodate the sophisticated Intelligence, Surveillance, and Reconnaissance (ISR) Operation Center. No matching funds are required for this military construction project.

HONORING THE LIFE OF MOODY NEWELL SIEBMAN

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. HALL of Texas. Madam Speaker, I rise today to honor the memory and accomplishments of a man who dedicated his life to showing generosity towards others, Moody Newell Siebman of Pottsboro, Texas, who passed away last year.

Mr. Siebman was born March 27, 1932 in Wichita Falls, Texas, to school teachers Moody Nugent Siebman and Rudy Steedman Siebman. He married Carol Sue Gillum on March 8, 1958 in Collinsville, Texas and they had two children, my good friend and outstanding citizen Clyde Siebman, their daughter Annette Skupin, and four grandchildren, Elizabeth Siebman and Katie, Becca and Sam Skupin. Mr. Siebman was proud to be a fifth generation resident of Grayson County whose great-grandfather, S.D. Steedman was a Grayson County Judge in the 1800s.

Much of Mr. Siebman's professional life was dedicated to the transportation industry, where he worked in all aspects of the industry from long-haul truck driver to owner and manager of multi-truck fleets. He also worked as a traffic manager for twelve years and in 1998 as

a senior driver for the United States Brass Corporation.

After retirement, Mr. Siebman spent his remaining years devoted to his family, hunting and fishing. He was a tireless worker for conservative candidates in local political campaigns. He was known for his generosity and for being a loyal friend and neighbor.

The family and friends of Moody Newell Siebman will long remember his devotion to his family and to his community, and the legacy of this fifth-generation Texan will continue in the lives of his children and grandchildren.

CELEBRATING THE U.S. GENERAL SERVICES ADMINISTRATION'S 60TH ANNIVERSARY

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. BLUMENAUER. Madam Speaker, today I am proud to introduce a resolution honoring the Government Services Administration (GSA) for their sixty years of hard work and dedication to federal employees. On June 30, 1949, President Harry S. Truman signed legislation to create GSA and streamline the administrative work of the federal government. The Federal Property and Administrative Services Act of 1949 took effect almost 60 years ago today, on July 1, 1949.

GSA consolidated the National Archives Establishment, the Federal Works Agency and its Public Buildings Administration, the Bureau of Federal Supply, the Office of Contract Settlement and the War Assets Administration. GSA was tasked with administering supplies and providing workplaces for federal employees.

GSA's original mission was to dispose of war surplus goods, manage and store government records, handle emergency preparedness, and stockpile strategic supplies for wartime. GSA also regulated the sale of office supplies to federal agencies.

Today, through the Public Buildings Service, Federal Acquisition Service, various staff offices and 11 regional offices nationwide, GSA provides workspace to more than 1 million federal civilian workers. It oversees the preservation of more than 408 historic buildings. It facilitates the purchase of high-quality, low-cost goods and services from quality commercial vendors.

GSA has a history of providing environmentally sound or sustainable products and services that reduce waste and pollution, and providing federal employees with healthy work environments. GSA's efforts to design, build and manage federal properties in a sustainable and environmentally sensitive manner helps reduce energy consumption by the federal government.

Today, GSA touches the lives of nearly every U.S. citizen by providing goods, services, and workplaces at best value to its federal agency clients. The GSA has worked to ensure that the federal government leads by example—promoting fiscal fitness and environmental responsibility throughout the federal government.

As we mark its 60th anniversary, the GSA is playing a critical role in revitalizing our economy. The American Recovery and Reinvestment Act included $5.5 billion for GSA building projects and $300 million for energy efficient motor vehicles. Just as importantly, GSA is assisting other federal agencies in meeting their goals under the legislation, and has used its technical expertise to support Recovery.gov as part of the government's commitment to openness and transparency.

As GSA enters its seventh decade of service, it does so with a new slogan: "A Legacy of Service, a Pursuit of Excellence," that articulates the agency's storied history and continued excellence on behalf of its customers and American citizens.

I am proud to offer this resolution honoring the men and women who work to keep our government running.

PERSONAL EXPLANATION

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mrs. McCARTHY of New York. Mr. Chair, on rollcall No. 498, on agreeing to the DeLauro of Connecticut Amendment to H.R. 2997, I would have voted "aye."

EARMARK DECLARATION

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. ROGERS of Kentucky. Madam Speaker, pursuant to the House Republican standards on congressionally-directed funding, I am submitting the following information regarding funding included in H.R. 3082, the Military Construction and Veterans Affairs Appropriations Act, 2010.

Requesting Member: Congressman HAROLD ROGERS

Bill Number: H.R. 3082

Account: MILCON, Army National Guard

Legal Name of Requesting Entity: Kentucky Department of Military Affairs

Address of Requesting Entity: Boone National Guard Center, 100 Minuteman Parkway, Frankfort, Kentucky 40601

Description of Request: Provide directed funding of $1.805 million to complete construction of the Phase IV Aviation Operation Facility—London Joint Readiness Center located in Laurel County, Kentucky. The funding will be used for the construction of two additional (11,400 SF) unheated aircraft storage buildings at the facility. The project is required to fully house the Joint Support Operations equipment and personnel in one facility located in the vicinity of operations. At the conclusion of this project, the unit will be able to respond quicker and in a much more efficient manner which will allow a greater return on investment funds spent on the operation.

HONORING THE LIFE OF JOHN WISE "JAY" ADKISSON

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. HALL of Texas. Madam Speaker, I rise today to honor the memory of a dedicated serviceman, excellent businessman, and community activist, Mr. John Wise "Jay" Adkisson of Greenville, Texas.

Born on October 5, 1920, to John Wise Adkisson Sr. and Lenna McCandless Adkisson in Greenville, Texas, Jay graduated from Greenville High School in 1938 and from Texas A&M University in 1942, with a Bachelor of Science Degree in landscaping architecture. He was also a member of the Fightin' Texas Aggie Band. Shortly thereafter, he attended the U.S. Naval Midshipmen's School at Columbia University in New York, NY and upon graduation, was commissioned an ensign in the U.S. Navy. For the remainder of WWII, he served in the South Pacific as commanding officer of a Landing Ship Medium (LSM) and was honorably discharged having obtained the rank of full lieutenant.

In 1946, Jay returned to Greenville to join in the operations of the family business, Wise Adkisson & Sons Florist, Greenhouse, and Nursery. In 1996, Jay was elected as President of the Texas State Florists Association (TSFA) and in 1978 he received the TSFA Lifetime Achievement Award in recognition of his numerous contributions to the floral industry.

In addition to his work in the floral business, Jay was a dedicated public servant. He was elected for two terms as Greenville City Councilman and Mayor Pro-Tem in the 1960s, served as Chairman of the Administrative Board for Kavanaugh United Methodist Church, member of the Greenville Lions Club, and Director of the Greenville Lake Club. He was also involved in the adult leadership of Boy Scouts of America and the Hunt County Aggie Club.

Jay is survived by his wife of 61 years, and business partner Nita Lee "Tubby", son Richard Wise Adkisson and wife Jan, son John Jay Adkisson and three grandchildren, Benjamin, Rebecca and Rob Adkisson, sister Mary Ward, brother Dr. Mike Adkisson and wife Beverly, great-granddaughter Bailey, and numerous nieces and nephews.

Madam Speaker, I am privileged to have known such a wonderful citizen of Greenville, Texas, who leaves a legacy of service that will be long remembered.

HONORING THE SERVICE AND BIRTHDAY OF JAMES R. PAULSON, UNITED STATES NAVY

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. ISSA. Madam Speaker, I rise today to join in celebrating the 90th birthday of James R. Paulson, a veteran of World War II, a philanthropist and a leader in business.

As a lieutenant in the U.S. Navy, James R. Paulson was the skipper of a Sub Chaser "SC671", conducting mine-sweeping operations in Alaska's treacherous seas along the Aleutian Islands from the North Pacific to Japan during WWII.

Jim met his beautiful wife Marijane Lewis in 1938 and they were married four years later, just days before he deployed to the North Pacific. Together they raised four wonderful children.

He received his undergraduate degree from University of Puget Sound, in WA. His career

as a Certified Public Accountant brought him much acclaim and he sat on the Board of Regents for 25 years at University of Puget Sound.

He was one of the founders of the Tacoma Foundation and was a major supporter of it.

He was a consultant and service provider with the Weyerhaeuser family, and headed a group of companies he brought together under the holding company name "Comerco." These companies included Alaska Fish Fertilizer, Olympic Stain, Dawson Insurance and 23 other companies. They merged with the Clorox Company and at that time Big Jim, as he is known by his friends, served on the board of directors of Clorox.

Not one to stand on the sidelines, Jim has been a lifelong public activist, working to protect the American way of life and the sacrifices that he and so many Americans have made to protect our freedom.

Jim stands as a testament to the American spirit. Born of immigrant parents from Norway, he made his own way in the world, and made significant contributions to his family and his country. From nothing, he built a corporate network providing high quality careers for thousands of employees and providing valuable services and products to the nation and the world.

We are fortunate to have James R. Paulson as a friend and fellow American.

CONGRATULATING NEW CITIZENS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. VISCLOSKY. Madam Speaker, it is with great pleasure and sincerity that I take this time to congratulate the individuals who will take their oath of citizenship on July 4, 2009. In true patriotic fashion, on the day of our great Nation's celebration of independence, a naturalization ceremony will take place, welcoming new citizens of the United States of America. This memorable occasion, coordinated by the Hammond Public Library and presided over by Magistrate Judge Andrew Rodovich, will be held at Harrison Park in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the globe to the United States in search of better lives for themselves and their families. The upcoming oath ceremony will be a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize the great things America has to offer. They realize that there is nowhere else in the world that offers a better opportunity for success and a good life than here in America.

On July 4, 2009, the following individuals, representing many countries throughout the world, will take their oath of citizenship in Hammond, Indiana: Daniele Giuseppe Manfre, Ugochi Genevieve Okoro, Ilidoro Natanael Nevarez Rivas, Ravindranath Chigurupatl, Leela Rani Chigurupatl, Tran Quynh Nguyen, Miroslav Tepavac, Du Lin, Rosalia Navarrete, Igor Dmitriy Harris, Lubov Mullens, Rogelio Hernandez Plata, Erika Blacburn, Dhanwant Singh Sidhu, Konstantina Andreas Prokopos, Oluwabusola Anuoluwapo Binutu, Jori Beniaminovitch Tsvik, Nelia Prokophievna Repkina, Abdulla Hussein Ahdelqader, Ikram Sharawi, Juan Montoya Garcia, Jesus Loe Baeza, Humaira Sameer Minhas, Maribel Orozco De Loe, Marilyn Vincoy Morana, Anatoly Fedorovich Kolesnichenko, Inna Veniaminovna Borysova, Vesna Balac, Ruchira Shukla, Jacklyn Luong, Joanna Jadwiga Pierce, Rolee Khurana, Nikoleta Maginas, Yousef Shurri Qarbeit Al Armani, Said Yousef Musleh, Mohammed Ben Wanes, Juan Jose Lopez Moreno, Milena Losic, Alma Laura Nunez, Ramadan Amzai, Jose Antonio Garcia Guzman, Dao Chieu Anh Hui, Yasmeen Mohammd Yaseen ShreeiQun, Kamila Hendzel, Natalia Pelc, Truc Phuong Thi Lai, Katarzyna Jowita Przybyla-Kelly, Tanja Ognenovska, Suwit John Sangkaratana, Chirag Patel.

Though each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country ". . .of the people, by the people, and for the people." They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Bill of Rights, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Madam Speaker, I ask you and my other distinguished colleagues to join me in congratulating these individuals, who will become citizens of the United States of America on July 4, 2009, the day of our Nation's independence. They, too, will be American citizens, and they, too, will be guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic society, congratulate them and welcome them.

EARMARK DECLARATION

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. CALVERT. 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 House-passed version of H.R. 3082, the Military Construction and Veterans Affairs Appropriations Act, Fiscal Year 2010.

Requesting Member: Congressman KEN CALVERT

Bill Number: H.R. 3082

Account: Military Construction, Air Force Reserve

Legal Name of Requesting Entity: March Air Reserve Base, Riverside, CA

Address of Requesting Entity: March Air Reserve Base, 610 Meyer Drive, Riverside, California 92518–2166

Description of Request: I have secured $9,800,000 for the Small Arms Firing Range, March Air Reserve Base. It is my understanding that the funds will be used to construct an adequately sized and configured small arms firing range which is required for training and maintaining the standard of current Air Force preparedness. The project also includes office space, classrooms, and equipment with fire protection and security alarm, lightning protection and explosion proof electrical which would bring the facility up to current force protection standards. The existing firing range was built in 1942 and is sub standard as a training facility. It is located approximately 5 miles away from March ARB and creates security, safety, and health and maintenance problems. Without funding the current facility will deteriorate further and will not be able to meet the training and readiness requirements of the base. Security, health and safety will be a concern and may cause the existing firing range to shut down. The range closure will seriously impact the small arm training, Force Protection and Personnel Combat Arms requirement for Reserve and National Guard units.

HONORING THE RETIREMENT OF LIEUTENANT CLAUDE FRISBIE, AFTER 35 YEARS

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. GERLACH. Madam Speaker, I rise today to honor a dedicated public servant from Chester County, Pennsylvania has retired after a 35-year career with the West Whiteland Township Police Department.

Lieutenant Claude A. "Friz" Frisbie was among the first police officers hired when West Whiteland established its department in 1974. After courageously serving his country during two tours in Vietnam with the 101st Airborne Division, Lieutenant Frisbie was eager to play a leading role in the newly-formed West Whiteland department.

He supervised the Patrol Division and directed operations, coordinated training, and provided scheduling for four patrol teams. One of Lieutenant Frisbie's first initiatives was creating a Traffic Unit to address the substantial traffic issues in the Township and to better serve its citizens.

Lieutenant Frisbie's valor and professionalism in the line of duty have earned him several Commendations of Merit, Heroism and Bravery. He also has earned the respect of his peers and served as mentor and source of inspiration to younger officers.

Lieutenant Frisbie's remarkable career and accomplishments will be celebrated on Friday, July 17, 2009 during a dinner at the Downingtown Country Club.

Madam Speaker, I ask that my colleagues join me today in praising the outstanding service of Lieutenant Claude A. Frisbie, and all those who take an oath to serve and protect their communities.

RECOGNIZING THE SUNSET BAY VOLUNTEER FIRE COMPANY NO. 1

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. HIGGINS. Madam Speaker, I rise today to recognize the Sunset Bay Volunteer Fire

Company No. 1, Inc. for its outstanding service to the Western New York Community. On July 18th, 2009 the Sunset Bay Volunteer Fire Company No. 1 will be celebrating its 60th anniversary.

Located in the town of Hanover in Chautauqua County, the Sunset Bay Volunteer Fire Co. No. 1 was formed in 1949 and incorporated in 1950. Since then, this 100% volunteer fire company has grown to have 35 active volunteer fire members. They are led by Fire Chief Robert "Rob" Weiskerger and President Jack Fecio who have a long history of serving with Sunset Bay Volunteer Fire Company. Each year, the volunteers dedicate endless hours to promoting and protecting the safety of their friends and neighbors. I commend these firefighters for their selfless service and overwhelming commitment to the Town of Hanover and the Sunset Bay area in particular.

Madam Speaker, I ask that my colleagues join me in honoring the members, past and present, of the Sunset Bay Volunteer Fire Company, No. 1, Inc. The dedication of these community volunteers has ensured that the Town of Hanover will remain a safe and robust community. These brave men and women have ensured the objective of their fire company, "The protection of life and property from fire and the promotion of social intercourse among its members."

EARMARK DECLARATION

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. FORBES. 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. 3082, Military Construction and Veterans Affairs Appropriations Act, 2010

Requesting Member: Congressman J. RANDY FORBES

Bill Number: H.R. 3082

Account: Military Construction

Legal Name of Requesting Entity: Fort Lee

Address of Requesting Entity: 3901 A Avenue, Fort Lee, VA, 23801

Description of Request: Provides $5,000,000 to fund a roundabout at Adams Avenue at the entrance to Fort Lee to alleviate traffic congestion and improve vehicular and pedestrian safety.

COMMEMORATING THE 14TH ANNIVERSARY OF THE SREBRENICA MASSACRE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to remember the events that took place 14 years ago in Srebrenica in Bosnia and Herzegovina

July 11, 2009 marks the 14th anniversary of the Srebrenica Massacre in the eastern region of Bosnia and Herzegovina. The acts of violence that took place resulted in the deaths of several thousand Bosniaks and the displacement of even more Bosniak families from their homes. It is particularly startling to know that roughly five hundred of the victims were under the age of 18 years old, and several dozen were women and children. This tragic event is regarded as one of the worst cases of ethnic cleansing in the past fifty years, and today, I continue to offer my deepest condolences to the victims of these crimes and to those victims' families.

I remain hopeful, however, that Bosniaks and the various ethnic communities within Bosnia and Herzegovina are on a path to recovery and reconciliation. Over the past fourteen years, Bosniaks have dedicated themselves to rehabilitation, slowly readapting and assimilating into their new lives. Great strides have been made to ensure that a lasting peace endures in Bosnia and Herzegovina, and I believe that through continued work and determination, this will be achieved.

I ask my fellow colleagues to join me today to remember the victims of this terrible massacre and to resolve anew to work towards a stable and permanent peace in Bosnia and Herzegovina.

60TH ANNIVERSARY OF BROOKS CATSUP BOTTLE IN COLLINSVILLE, IL

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to mark the 60th anniversary of the landmark Brooks Catsup Bottle in Collinsville, IL—widely regarded as "The World's Largest Catsup Bottle."

According to the landmark's official website, catsupbottle.com, The World's Largest Catsup Bottle® stands proudly next to Illinois Route 159, just south of downtown Collinsville. This unique 170-foot-tall water tower was built in 1949 by W.E. Caldwell Company for the G.S. Suppiger catsup bottling plant, bottlers of Brooks Old Original Rich & Tangy catsup.

In 1995, due to the efforts of the Catsup Bottle Preservation Group, this famous roadside attraction was saved from demolition and beautifully restored to its original appearance.

Recognized the world over as an excellent example of 20th century roadside Americana, the World's Largest Catsup Bottle garners national attention and attracts visitors and tourists every day.

In August of 2002, "The World's Largest Catsup Bottle" was named to the National Register of Historic Places.

I would like to commend those who maintain this historic landmark and wish them continued success.

AMERICAN CLEAN ENERGY AND SECURITY ACT OF 2009

SPEECH OF

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 26, 2009

Mr. CASTLE. Madam Speaker, my priorities, as I represent Delaware in the U.S. House of Representatives today, begin with the economic opportunities and security for all who live here. We are facing serious challenges in both areas. With state budget shortfalls, rising unemployment and stagnant growth in many of the industries on which we typically rely—new ideas and bold strategies for the future are required. Simultaneously, our Nation's military is spread thin across the world in an effort to confront those who seek to do us harm. One major threat to our security and theirs is the current reliance we have on foreign energy sources.

Nations around the world are surging ahead with emission reductions and developing new energy technologies. The United States should be on equal footing, if not leading this effort to remain competitive.

The recent vote in the U.S. House on the American Clean Energy and Security Act was on whether to pursue these new strategies, or hold on to the status quo. I supported the legislation because it is my belief that we cannot turn away from the opportunity to create new jobs and reduce our dependence on foreign sources of energy. With offshore wind, fuel cells, and solar energy initiatives, Delaware is poised to lead such innovation and create new jobs in these important areas while protecting the tourism industry and our very own coastline. We must live in the present but look to the future, and focus on strengthening the economy by driving advancements in industry and new business growth in Delaware. Such a market-driven solution, according to the Center for American Progress, is estimated to bring a net increase of about $460 million in investment revenue and 6,000 jobs to our state.

The real struggle I faced in whether to support this legislation is the cost of implementing new energy policies and addressing greenhouse gas pollution. I worry about the estimates that utility costs for all of us may increase, but I also agonize about the cost of doing nothing. One estimate, done by M.J. Bradley & Associates, using the Energy Information Agency, and EPA analysis, reflects that the average monthly bill in Delaware would increase by $3.00. To prevent increases in energy costs, a portion of the allowances will flow directly back to low- and moderate-income families through tax credits, direct payments, and electronic benefit payments.

Clearly, any rate hike is going to hurt and I continue to work to ensure that we have measures in place to mitigate the impact on all income levels. Several colleagues and I worked to include an amendment to expand the financial tax credit relief for middle-income families, but such an amendment was blocked from consideration. I plan to pursue this change in negotiations with the Senate. I also believe that so many new energy efficiency measures will simultaneously reduce our energy usage and lower the cost of our utility bills. Under this legislation, revenues will be reinvested from the market back to consumers, energy research and development, and job-creation measures.

The legislation establishes a system where greenhouse gas emissions are limited, and where emissions allowances are auctioned by the EPA and bought or sold among polluters.

Delaware is already participating in a regional cap-and-trade program called the Regional Greenhouse Gas Initiative (RGGI). This bill will return revenue to all states, and in fact,

will bring more to the state than RGGI, in order to promote the same types of energy efficiency and renewable energy programs.

The legislation also requires that 20 percent of energy produced by electric utilities come from renewable resources and energy savings by 2020, still below Delaware's own standard. A robust renewable electricity standard is the most important policy tool we have to make sure new energy projects utilize American-made components manufactured by American workers, and I believe we should strive to strengthen the national standard.

The coal resource of the U.S. is abundant and the bill creates new programs designed to promote carbon capture and sequestration, and sets new emissions standards for coal-fired power plants. This bill also supports modernizing of electricity infrastructure, including smart grid technologies. And, to aid the U.S. auto manufacturers, the bill aims to assist in the development of improved battery technology and plug-in electric vehicles.

Major technological advancements and tax incentives are already positively influencing the advancement of the wind, solar, fuel cell, and biomass industries right here in Delaware. Green jobs, which could be those involved with electricity generated by wind, those that produce energy-efficient goods and services like mass transit, or those that install energy-conserving products like retrofitting buildings with thermal-pane windows, fuel cells, and solar—are key to the success of a new energy economy. Much work has been done voluntarily over the last several years to reduce greenhouse gas emissions and I was glad to see that the bill takes steps to recognize these early, voluntary actions by industry leaders.

In speaking with Governor Marken, we agree that this legislation will strengthen our domestic economy through innovative and sustainable job creation. I have also heard from leading Delaware businesses who believe in the opportunity of transforming to a clean energy economy. Ion Power said: this bill ''will make a real difference for America, and my business.'' Eclipse Solar has said: ''. . . we also know that clean energy is a great way to make money; supporting solar energy and other renewables will boost our economy and help create more jobs.'' Delaware Technical and Community College offered: ''. . . the College is developing an Applied Energy Education Center that will connect Delawareans to new ''green'' jobs by developing Delaware's green workforce and enabling citizens and businesses to reduce their energy costs through increased energy efficiency, conservation, integration, and management.'' Bluewater Wind wrote: ''By taking bold, concrete steps to address climate change and creating a new national Renewable Electricity Standard (RES), passage of the Waxman-Markey bill will spur hundreds of thousands of new jobs in America's growing renewable energy industry.''

The agriculture sector plays a vital role in Delaware's economy. I was pleased to support U.S. House Agriculture Chairman PETERSON's work to ensure that the interests of the agriculture community were represented in the legislation, including that the U.S. Department of Agriculture will be in charge of working with farmers on the portion of the offset program that involves generating offset credits from U.S. farms and forests.

Complex and detailed proposals must always be weighed thoughtfully and carefully. Ultimately, challenging economic times demand that we look to the future, not cling to the past. Leading experts differ on the economic impact that this legislation will have on each of us and I will remain closely engaged in efforts to reduce any cost increase passed through utility bills. This may not be a silver bullet for turning our economy around overnight. However, I am confident that we must drive innovation, research and market-based strategies to strengthen our immediate economic outlook and instill optimism for tomorrow.

CONGRATULATING THE LADY FIGHTING IRISH OF HACKETT CATHOLIC CENTRAL HIGH SCHOOL

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. UPTON. Madam Speaker, I rise today to congratulate the Lady Fighting Irish of Hackett Catholic Central High School in Kalamazoo, Michigan on being named the 2009 Division 4 State Soccer Champions. This team of young ladies, lead by Coach Tim Halloran and assisted by Coaches Erin Moore, Alyssa Chludzinski and Trainer Cailee Servais, has put in endless hours of hard work and dedication to bring home the their third state championship trophy since 2002.

Winning a state championship is a memory that will last a lifetime. It is a remarkable achievement that few teams ever experience, and it is a legacy that will live with the 2009 Lady Fighting Irish forever. This young team, lead by captains Maddie Brennan, Julie Ross and Stephanie Johnson, played a close game against the Madison Heights Bishop Foley Ventures and came out victorious beating the Ventures 1–0.

It is an honor to pay tribute to the entire Lady Fighting Irish team: Rebecca Farrer, Kalani Bates, Sara Howard, Maria Escamillia, Megan Putnam, Johanna Hamilton, Stephanie Walley, Christina Pinon, Aleks Svikis, Maddie Brennan, Ana Villalobos, Emma Forster, Neil Locke, Claire Sorek, Stephanie Johnson, Casey Lamp, Erin May, Mallory Busso, Maggie Wenzel, Ashleigh Reisterer and Julie Ross. We are so proud of all of you.

On behalf of all the residents of southwest Michigan, congratulations again to the Lady Fighting Irish, Coach Halloran and the entire greater Kalamazoo community—you are an inspiration to us all. It is Hackett Catholic Central pride at its finest. Go Fighting Irish!

HAPPY 80TH BIRTHDAY, MR. ALBERT MCCALL, SR.

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mrs. BLACKBURN. Madam Speaker, I rise today to ask my colleagues to join me in honoring the 80th birthday of one of Tennessee's finest citizens, Mr. Albert McCall, Sr., of Carthage, Tennessee.

Born and raised in Smith County, Tennessee, Mr. McCall earned two degrees—a bachelor's at Tennessee Polytechnic Institute and a master's at the University of Missouri—before serving as an Army Artillery Officer and in the dangerous position of a forward observer during the Korean war.

After returning home from the war, he married Miss Virginia Olive Doran in 1955 and began working in the family business, DT McCall and Sons, founded by his father and still a vital business and significant employer in Tennessee some 100 years later.

Mr. McCall has two fine children, Albert McCall II and Menda Elizabeth McCall Holmes, and four grandchildren: Alex, Kate, Monica and Derek. He is a member of the First Baptist Church in Carthage and has been active in civic affairs for many years across Tennessee. His leadership has been crucial to the success of our State, and I am humbly grateful to him for the many years of hard work and sacrifice he has provided.

Madam Speaker, I congratulate Albert on a life well-lived and ask my colleagues to join me in celebrating his past, present, and future accomplishments.

EARMARK DECLARATION

HON. AARON SCHOCK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. SCHOCK. Madam Speaker, in accordance with the Republican adopted standards on earmarks, I submit the below detailed explanation of the Illinois: Lincoln Capital Airport Relocate Base Entrance.

Bill Number: H.R. 3082—Military Construction and Veterans Affairs Appropriations Act, 2010.

Provisions/Account: Department of Justice, COPS Law Enforcement Technology

Name and Address of Requesting Entity: The entity to receive funding for this project is Abraham Lincoln Capital Airport (ANG), Illinois Capital Airport, Springfield, IL 62704.

Description of Request: The funding would be used to relocate the base entrance to include realignment of existing four lane airport entrance, two lane base entry road and reconfigure intersection with state highway to ensure the facility meets DoD security requirements.

HONORING MR. THOMAS TRADEWELL

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. SENSENBRENNER. Madam Speaker, I rise today to acknowledge one of my constituents, Mr. Thomas Tradewell, who is slated to become the newly elected National Commander of the Veterans of Foreign Wars of the United States.

Mr. Tradewell will soon begin working in this prestigious position of leadership. His honorable service to our country, along with his numerous awards recognizing his service exemplifies his outstanding commitment to ensuring America's freedom. I join many other Americans in expressing my deep appreciation for

his efforts to assist and lead our nation's veterans.

I am proud that Mr. Tradewell is a citizen of Wisconsin's Fifth Congressional District and I wish him well in his new position as National Commander. Mr. Speaker, I ask my colleagues to join me today in recognizing Mr. Tradewell for his notable career achievements, his exemplary leadership, and his dedication to our country.

HONORING THE STUDENTS OF OUR LADY OF LOURDES ACADEMY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Ms. ROS-LEHTINEN. Madam Speaker, I would like to take this opportunity to recognize the students from Our Lady of Lourdes Academy on their honorable mention in the 2009 "We the People: The Citizen and the Constitution" program held in Washington, DC.

I would like to give a special mention to the students who participated in the competition: Michelle Azzi, Daniela Chediak, Kina de Cordoba, Brianna Donnet, Tiffany Fan, Bertila Fernandez Gabrielle Fernandez, Miranda Garcia, Victoria Garcia, Maria Gonzalez, Rebecca Hubert, Kristina Jacomino, Julia Longoria, Isabelle Martinez, Victoria Moreno, Katerina Ona, Elizabeth Rasco, Natalie San Juan, and Kelly Scott.

I would also like to congratulate their teacher Rosie Heffernan for her tireless efforts on behalf of the students. Her students' success is a testament to her selfless dedication.

I pray for the utmost success on all of the future endeavors of these excellent young women and expect to hear more great accomplishments from every one of them.

PERSONAL EXPLANATION

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. ISSA. Madam Speaker, on Wednesday, July 8, 2009, the House voted on final passage of H.R. 2965, the "Enhancing Small Business Research and Innovation Act of 2009," rollcall No. 486.

My vote was recorded as "no" but in keeping with my past votes on the Small Business Research and Innovation Act, my vote should have been a "yes." The Small Business Innovation Research Program and the Small Business Technology Transfer Program are critical to increasing small business research and project development capabilities, and I strongly support their continued funding.

IN RECOGNITION OF CHARLES H. CARLAN UPON HIS RETIREMENT

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Charles Carlan, a northwest Florida community leader and businessman who is retiring after over 40 years of professional engineering and consulting. Mr. Carlan spent his life serving others, and I am proud to honor his dedication and service.

Born in DeFuniak Springs, Florida, Charles has been an integral part of the Northwest Florida community ever since. He graduated from Walton High School and went on to play baseball at Auburn University. After a brief stint in professional baseball with the Milwaukee Braves, Charles earned his Bachelor of Civil Engineering from Auburn in 1960. He began his career as a professional engineer, where he served in a variety of capacities over the years. His professional history includes working as City Engineer for the City of Pensacola, Maintenance Engineer of the Florida Department of Transportation, and Staff Director of the Florida Senate Transportation Committee. As President of CarlanKillam Consulting Group, Charles grew the firm to become one of the largest engineering firms in Northwest Florida. After being acquired by Hatch Mott MacDonald in 2001, Charles remained at his firm until his retirement.

Although widely known for his commercial ventures, Charles' business success pales in comparison to his outstanding service to the local community. He has served as Treasurer of the University of West Florida Foundation, President of the Pensacola Junior College Foundation, and Chairman of the Administrative Board of the First United Methodist Church. Charles has actively promoted the engineering profession by working as President of the Florida Engineering Society and the Professional Surveyors of Florida. The Florida Institute of Consulting Engineers recognized this dedication to his field and awarded him with the Governor A.W. Gilchrist Award for Outstanding Service to the Engineering Profession and Community. In one of Charles' most remarkable service achievements, he has attained 20 years of perfect attendance at the Pensacola Five Flags Rotary Club.

The list of Mr. Carlan's accomplishments extends far beyond what is noted here, but they all highlight his devotion to improving the lives of those around him and to bettering his community through service.

Madam Speaker, on behalf of the United States Congress, I am privileged to honor Charles Carlan for his lifetime of service to Northwest Florida. My wife Vicki and I wish all the best for Charles and his wife, Carol, as they embark on this latest journey in their lives.

EARMARK DECLARATION

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. KINGSTON. 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. 3082, the Military Construction and Veterans Affairs Appropriations Act for Fiscal Year 2010.

Request information: Representative JACK KINGSTON

H.R. 3082

Department of Defense, Army National Guard Account

Recipient information: Georgia Army National Guard, Hunter Army Aviation Facility, Savannah GA

Description: The Georgia Army National Guard received an earmark in the amount of $8,967,000.

The current facility has exceeded its useful life with several irreparable leaks. The unit is devoting considerable time in overcoming these obstacles to meet its current requirements for training, planning and storage of weapons and information technology.

HONORING COLONEL DARRELL E. ADAMS

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. TANNER. Madam Speaker, I rise today to recognize and pay tribute to Colonel Darrell E. Adams, for 27 years of exceptional service and dedication to the United States Air Force. He will be retiring from active duty on September 30, 2009.

In his most recent assignment, he served as the Chief of the Strategy and Assessments Division, Secretary of the Air Force, Directorate of Public Affairs.

Colonel Adams grew up in McIntosh, Alabama. He entered the Air Force in 1982 as a distinguished graduate of the Reserve Officers' Training Corps at Alabama State University. Following undergraduate missile training, his operational assignments included duties as a Minuteman III Intercontinental Ballistic Missile crew commander at Grand Forks Air Force Base, North Dakota and Ground Launched Cruise Missile crew commander at Florennes Air Base, Belgium, during the period of the Cold War.

Colonel Adams has served in a variety of staff and leadership positions both stateside and overseas. He has been a training officer, protocol officer, command and control officer at the wing and Headquarters level. Most notably, he was the on-duty Senior Controller at Headquarters Fifteenth Air Force when President George H.W. Bush directed the nuclear stand-down for B–52 bombers, tanker aircraft, and missiles in promoting peace and stability between the United States and the Soviet Union. He has been a squadron commander, deputy group commander; he has two assignments as a congressional liaison officer.

Prior to his current assignment, Colonel Adams served as the Chief of the Congressional Inquiries Division, Office of Legislative Liaison. He managed on behalf of the Department of the Air Force, all constituent inquiries from the White House, Office of the Vice President, Members of Congress and state and local governments. He also managed the Air Force Legislative Fellowship program where selected Air Force officers served as Congressional Fellows on Capitol Hill.

Over the past 4 years Colonel Adams escorted many Members of Congress on Congressional Delegations, in furtherance of their oversight responsibilities. He assisted me and Members of the U.S. House delegation to the NATO Parliamentary Assembly on multiple trips to Europe including Russia, Africa, and Afghanistan. The logistics of such trips are often complicated and require lengthy and detailed preparation. He always upheld the highest standards of professional conduct and his

thorough and efficient planning assured that these trips were a complete success. He will be missed.

I ask my Colleagues to join me in expressing our sincere thanks to Darrell, his wife Lisa, their daughter Regis, and their two sons Kalon and Jared, for their unwavering support of our country and the freedom we hold so dear. We congratulate Colonel Adams on the completion of an exemplary active-duty career and wish him well in the next phase of his life.

EARMARK DECLARATION

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. CARTER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the National Defense Authorization Act for Fiscal Year 2010.

Project Name: Family Life Center

Account: Military Construction—Army

Project Recipient and Address: Fort Hood, TX U.S. Army Garrison, Fort Hood, Bldg. 1001, Rm W321, Fort Hood, TX, 75544

Amount Provided: $8,500,000

Project Description: Construct a large standard design Chapel Family Life Center that includes an activity center with kitchen, gymnasium, religious education and military community classrooms, administrative space, gathering areas, information systems, fire protection and alarm systems, Intrusion Detection System (IDS) installation, and Energy Monitoring Control Systems (EMCS) connection, and Sustainable Design and Development (SDD) and Energy Policy Act of 2005 (EPAct05) features. Supporting facilities include site development, utilities and connections, lighting, paving, parking, walks, curbs and gutters, storm drainage, information systems, landscaping and signage. Heating provided by self contained natural gas systems. Measures are in accordance with the Department of Defense (DoD) Minimum Antiterrorism for Buildings standards provided. Building and furnishings related interior design services are required. Access for individuals with disabilities will be provided.

Benefit to Taxpayers: This project is required to create a Religious and Family Readiness Campus on Fort Hood. This endeavor needs consolidated facilities to support religious ceremonies, on-site childcare, counseling services, adult and child religious education, family readiness groups, and memorial services. All other chapel facilities on Fort Hood lack proximity to housing and community support areas. Fort Hood's Chapels provides insufficient space for reception, counseling, and storage of materials.

Spending Plan:

PRIMARY FACILITY 7,549

Family Life Center SF 17,000 250.00 (4,250)

Family Life Center—Activity Center SF 10,000 250.00 (2,500)

Special Foundations LS—(324)

EMCS Connection LS—(25)

SDD and EPAct05 LS—(135)

Total from Continuation page(s) (315)

SUPPORTING FACILITIES 1,910

Electric Service LS—(450)

Water, Sewer, Gas LS—(350)

Paving, Walks, Curbs And Gutters LS—(250)

Storm Drainage LS—(100)

Site Imp(600) Demo() LS—(600)

Information Systems LS—(112)

Antiterrorism Measures LS—(48)

ESTIMATED CONTRACT COST 9,459

CONTINGENCY PERCENT (5.00%) 473

SUBTOTAL 9,932

SUPERVISION, INSPECTION & OVERHEAD (5.70%) 566

DESIGN/BUILD—DESIGN COST (4.0000%) 397

TOTAL REQUEST 10,895

TOTAL REQUEST (ROUNDED) 10,800

Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.

Project Name: Range Revegetation for Fort Hood, Texas

Account: Natural Resources Conservation Service—Conservation Operations

Project Recipient and Address: Texas AgriLife Research & Extension, Texas A&M University, 1500 Research Parkway, Suite 255, 2259 TAMU

Amount Provided: $333,000

Project Description: The Range Revegetation Pilot Project at Fort Hood, Texas, focuses on maintaining the quality of soldier training areas on the base. The project demonstrates the use of soil amendments, soils and vegetation management, seeding, and erosion control structures to reduce erosion impacting training on maneuver areas. Research results document practice impacts on vegetation and water quality. In addition, the project is utilizing composted dairy manure from the North Bosque River watershed aiding the regions' efforts to meet total maximum daily load requirements for nutrients.

Benefit to Taxpayers: Primary benefits of the program focus on increasing the training capacity of Fort Hood maneuver training lands and insuring relevant military training landscapes for Fort Hood personnel. Beyond these benefits, the program focuses on restoration of disturbed rangelands and increasing the sustainability of the training areas in an effort to minimize off-site environmental concerns such as sedimentation of Belton Lake and other water bodies.

Spending Plan:

The total cost for this research is $525,000, with 50% to support salary and benefits of researchers, 30% for purchasing supplies and materials for research efforts, 5% for travel and the remaining 15% for other costs.

Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2010

Project Name: Family Life Center

Account: Military Construction—Army

Project Recipient and Address: Fort Hood, TX U.S. Army Garrison, Fort Hood, Bldg. 1001, Rm W321, Fort Hood, TX, 75544

Amount Provided: $8,500,000

Project Description: Construct a large standard design Chapel Family Life Center that includes an activity center with kitchen, gymnasium, religious education and military community classrooms, administrative space, gathering areas, information systems, fire protection and alarm systems, Intrusion Detection System (IDS) installation, and Energy Monitoring Control Systems (EMCS) connection, and Sustainable Design and Development (SDD) and Energy Policy Act of 2005 (EPAct05) features. Supporting facilities include site development, utilities and connections, lighting, paving, parking, walks, curbs and gutters, storm drainage, information systems, landscaping and signage. Heating provided by self contained natural gas systems. Measures are in accordance with the Department of Defense (DoD) Minimum Antiterrorism for Buildings standards provided. Building and furnishings related interior design services are required. Access for individuals with disabilities will be provided.

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SUBTOTAL 9,932

SUPERVISION, INSPECTION & OVERHEAD (5.70%) 566

DESIGN/BUILD—DESIGN COST (4.0000%) 397

TOTAL REQUEST 10,895

TOTAL REQUEST (ROUNDED) 10,800

HONORING THE LEGACY OF JIMMIE CANNON

SPEECH OF

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 2009

Mr. FILNER. Madam Speaker, Jimmie Cannon, 80, an Imperial Valley legend, passed away on Thursday, May 21, 2009, at El Centro Regional Medical Center. Jimmie Cannon had a profound effect on the musical culture of the Imperial Valley and his students; he

brought and nurtured music and jazz in the region for five generations. He will be remembered as a truly great and inspirational teacher whose lasting effect will be felt for many years to come.

After fulfilling his military obligation in the Army, Cannon graduated from Philander Smith College, in Little Rock, Arkansas. While studying music, he was also a member of the football and track teams. Following his graduation, he began teaching music at Jones High School in North Little Rock, where we met and married his wife of 50 years, Maxine Sutton. They moved to Mahaska, Kansas in 1959, where he taught general music from kindergarten to 12th grades.

In 1964, the family moved to El Centro, where he taught elementary and junior high music. In 1966, he became the band director of The Great Spartan Band at Central Union High School, where he distinguished himself as a teacher and band director for 30 years.

Bands from Central High received many awards and honors from the Orange Coast College Jazz Festivals, El Centro Navy Base Jazz Festival, Southwestern College Jazz Festival, Imperial Valley College Jazz Festival, USC Concert of the Bands, UCLA Band Festival, Holiday Bowl Music Festivals, Columbus Day Parade, Mother Goose Parade, and the Disneyland Parades and concerts in 1975, 1976, 1977, and 1987.

The Great Spartan Band traveled extensively beginning in 1972 with a trip to Mexico City, where they were honored by the President of Mexico. The band traveled four times to the Mardi Gras in New Orleans, and twice to Hawaii. The bands last trip before his retirement in 1996, was to Disneyworld in Florida (1995), where they participated in the Magic Kingdom Easter Parade. Throughout the years, the band performed for numerous local events.

He received the Teacher of the Year Award in 1988, which led to the Imperial Valley Arts Council sponsorship of Valley Jazz; a nonprofit big band that sponsors scholarships and provides local musicians with performance opportunities.

He is survived by his wife, Maxine; two sons, Derek (Jenee), of La Mesa, and Mike of El Centro; one daughter, Janine of El Centro: three grandchildren, Breanne, Carley, and Brenna of San Diego; two nephews, Hardy Thrower Jr. (Susan), of Sparks, Nevada, and Eric Thrower, (Sandra), of San Diego.

Funeral services were held on Sunday, May 31st, at the Southwest High School Center for the Performing Arts where hundreds of friends, former students and fellow musicians gathered to honor his life and lasting legacy which became synonymous with jazz.

HONORING THE LIFE AND SERVICE OF REINA ARCE LEDDY

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Ms. BORDALLO. Madam Speaker, I rise today to honor Reina Arce Leddy, President of the Guam Chamber of Commerce, for her dedication and service to our community. Reina passed away on Thursday morning, July 2, 2009, on Guam.

In November 2007, Reina was appointed President of the Guam Chamber of Commerce. As the Chamber's President and Chief Executive Officer, Reina led and promoted the Chamber's programs. Before assuming the Presidency, Reina worked with the Chamber since 1991 as an assistant to the President. In that capacity Reina supervised Chamber staff, and managed all aspects of Chamber's community relations, special events and publications. An energetic and focused professional, Reina staffed the Chamber's Committees on the Armed Forces, Maritime Affairs, Small Business, Tourism, and Retail-Wholesale Merchants. Reina also served as the Chamber chief administrative officer where she was entrusted by the Board of Directors with managing the Chamber's organizational structure, with the effective execution of its policies and procedures, the maintenance of its membership and the organization's long range planning.

Reina graduated from the University of Guam where she majored in Finance and Economics and East Asian Studies with an emphasis on Japan. While at UOG she also pursued a minor in Management. The government of Japan awarded Reina a Japanese Government Scholarship as a research student at Hiroshima University's Intensive Japanese Language Course. She also studied at Kagawa University.

In addition to her duties as Chamber President, Reina is a member of the American Chambers of Commerce Executives (ACCE), the Asia Pacific Council of American Chambers of Commerce (APCAC) and the Civilian Advisory Council at Andersen Air Force Base.

Reina's spirit of community extends to her home village of Mangilao and the parish of Santa Teresita Catholic Church. An accomplished pianist, Reina, and her husband, David, a professional guitarist, shared their love of music as the leaders of their church choir. Born on November 24, 1963, to Reynaldo Arce and Consolacion San Nicolas Mendiola, and married to David P. Leddy on May 31, 1986, Reina left us at the young age of 45 but leaves behind a legacy that will live for many years to come.

My condolences, sympathies and prayers go out to her family and loved ones and to all who knew her and were touched by her joyous spirit and never-ending smile.

DID FIRED OC AIR MARSHAL ENDANGER FLYING PUBLIC OR PROTECT IT?

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. CALVERT. Madam Speaker, I rise today to discuss the article titled "Did Fired OC Air Marshal Endanger Flying Public, or Protect It?" The article was posted online on May 8, 2009 and I believe my colleagues in Congress will benefit from the article and the topic of whistleblower protection.

DID FIRED OC AIR MARSHAL ENDANGER FLYING PUBLIC, OR PROTECT IT?

(By Teri Sforza)

On July 26, 2003, the Department of Homeland Security issued an alert to all U.S. airlines, airport security managers and federal air marshals:

A possible hijacking plot was in the works, involving five-man teams that might try to seize planes and fly them into government, military or economic targets.

Robert MacLean of Ladera Ranch had been working as a federal air marshal since shortly after 9/11. So it struck him as particularly bizarre when—just three days later—a text message popped up on his government-issued mobile phone:

Overnight missions involving federal air marshals will be cancelled from late July through early August.

What? No overnights? That meant no air marshals on long-distance flights. To save money on hotel rooms, MacLean would come to understand.

This, thought MacLean, was crazy. The 9/11 hijackers targeted long-distance flights because they hauled the most fuel and could do the most damage. Pulling air marshals from such flights, precisely when there was warning of a possible attack, was gross mismanagement—and a "specific threat to public safety that could lead to catastrophic loss of life," he'd say later in court papers.

So MacLean took his concerns to his supervisor and other officials.

He didn't get far.

TOP SECRET?

That text message, MacLean would later argue, wasn't marked as sensitive information. It arrived on his mobile phone, not on his secure PDA.

And so, on July 29, 2003, MacLean disclosed the message to—gasp!—a member of the press. NBC.

Fallout was fast and furious. Lawmakers decried the idea as foolish; Sen. Barbara Boxer offered to send the Transportation Security Administration a list of hotels near San Francisco International Airport where rooms cost less than $100 a night. Officials said they had made no final decisions yet; and overnight missions continued, as per usual, on the full schedule of cross-country and international flights.

ALL'S WELL THAT ENDS WELL?

Not quite.

Nearly three years later—in April 2006—MacLean was fired from his job as a federal air marshal. Grounds for dismissal: disclosing sensitive information to the media.

The message didn't need to be marked "sensitive," the government argued; all details regarding the deployment, number and operations of federal air marshals were protected information.

"Your unauthorized media appearance and unauthorized release of SSI (sensitive security) information to the media raise serious doubts about your judgment and trustworthiness," says MacLean's dismissal notice, signed by Frank Donzanti, special agent in charge with the Transportation Security Administration.

"Moreover, the disclosure of this SSI had the potential to reveal vulnerabilities in the aviation security system, and as such, was extremely dangerous to the public we serve. As such, I find little chance for your rehabilitation as a FAM (federal air marshal). Based on the egregiousness of your actions I have lost confidence in your ability to perform and find that removal from Federal employment for your unauthorized disclosure of SSI is necessary to promote the effectiveness of the FAM Service," the letter says.

LEGAL LABYRINTH

So was MacLean endangering the public safety by revealing the message? Or was he protecting it?

Is he a villain, or a hero?

MacLean argues that he should be protected as a federal whistleblower, and filed a whistleblower suit against the government.

Many machinations have followed, in that tortured, slow, legal sort of way. ''I want to get back to federal law enforcement,'' said MacLean, 39, who says he has applied at a dozen local police departments, but remains jobless. ''I want to go back to serving as if I had never blown the whistle before.''

MacLean was a Border Patrol agent in San Clemente for six years, and a federal air marshal for four years. He has a wife and two daughters, 5 and 7. They've moved in with his parents. These days he spends time tracking the fits and starts of whistleblower-protection legislation that seems to come up every year, and die every year.

THIS TIME, MORE HOPE

Last week, a letter signed by seven congressmen and women went to President Obama, urging him to swift action on the issue of whistleblower protection for federal employees,

''Whistleblowers are our nation's best resource against fraud and abuse of the public trust,'' the letter says. ''Legal victories for employees who have been retaliated against for blowing the whistle are almost nonexistent. We encourage you to support congressional efforts to reform the inadequate system of whistleblower protections, such as H.R. 1507. . . . In addition to these forward-looking reforms, we encourage you to take action to restore the careers of employees who were wrongly terminated or marginalized by previous administrations after blowing the whistle.''

And other lawmakers are getting on board as well. There have been meetings at the White House. MacLean's documents live on the Project on Government Oversight's web site. He has his own page on Wikipedia. Officials did not rush to get back to us to discuss his case; but he has made appearances on many news programs and is not shy about pressing the righteousness of his position.

He hopes for a resolution soon.

CONGRATULATING PORTAGE NORTHERN HIGH SCHOOL FORENSIC TEAM

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. UPTON. Madam Speaker, I rise today to congratulate the Portage Northern High School Forensic Team on its eighth consecutive state championship at the Michigan Interscholastic Forensic Association state finals.

Portage Northern's forensic program, led by Coach Laurel Scheidt, has a rich 44 year history with 11 state titles to its name. The team had a successful 2009 season with first-place finishes at every invitational and an excellent performance at both the district and regional competitions. At this year's state competition over 80 schools and 800 students participated. The Northern team dominated the Class A division, qualifying the maximum 28 entries to the tournament with 45 students. Northern collected a record 1,066 sweepstake points defeating second place finisher Birmingham Seaholm High School by over 330 points.

It is an honor to congratulate the entire 2009 Portage Northern Forensic Team and pay special tribute to first-place finishers Andrew Beckner, Spencer Dudd, John Kramer, Kasey McSoley, Brennan Mange, Bryce Maurer, Nich Mueller, Nathan Novaria, Brady O'Brien, Caitlin Utt, Allyson Williams and Amanda Willoughby.

On behalf of all residents of southwest Michigan, congratulations again to the Portage Northern Forensic Team, Coach Laurel Scheidt and the entire Portage Community—you are an inspiration to us all. Go Huskies!

EARMARK DECLARATION

HON. MARY FALLIN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Ms. FALLIN. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding the earmark I received as part of ''H.R. 3082—Military Construction and Veterans Affairs Appropriations Act, 2010.''

Title of Project: T–9 Noise Suppressor Support

Amount of Project: $5,100,000

Account: Air Force, Military Construction

Project Recipient: Tinker Air Force Base 3001 Staff Drive, Tinker AFB, OK 73145

At my request, $5,100,000 was included in H.R. 3082, the Military Construction and Veterans Affairs Appropriations Act, 2010, to fund the construction of foundations and supporting facilities for two T–9 noise suppression systems at Tinker AFB, Oklahoma. This project would consist of the construction of reinforced concrete footings and slabs capable of supporting T–9 style engine testing facilities, a 20,000 gallon jet engine fuel storage and delivery system, utilities, access driveways, and a small office/restroom/break facility. Current engine test facilities are aging and unable to support the current test mission.

With the completion of the new Tinker Aerospace Complex (TAC) and the transfer of engine maintenance to this facility, construction of these test cells near the TAC will allow contiguous support of military jet engine repair, decrease maintenance downtime, and associated cost. This will allow the 76th Maintenance Wing and the 76th Propulsion Maintenance Group the capabilities to meet its mission of delivering engines on time and on cost and position Tinker AFB for increased mission capabilities in the future.

INTRODUCING THE UNITED STATES OPTIMAL USE OF TRADE TO DEVELOP OUTERWEAR AND OUTDOOR RECREATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. BLUMENAUER. Madam Speaker, more than 75 percent of Americans participate in active outdoor recreation each year, experiencing America's wild lands and outdoor spaces in ways large and small. In recognition of this group, I am introducing the ''United States Optimal Use of Trade to Develop Outerwear and Outdoor Recreation Act'' or the ''U.S. OUTDOOR Act''. This legislation will reduce the high tariffs on outdoor apparel and will invest in research to shrink the environmental footprint of the American textile industry while increasing its international competitiveness.

According to recent surveys, roughly 33 million Americans went fishing last year and 56 million went hiking. Through healthy outdoor activities like bird watching, ice climbing, hiking, and bass fishing, outdoor recreation contributes $730 billion and 6.5 million jobs to the U.S. economy.

Unfortunately, recreational performance outerwear—jackets and pants used for skiing and snowboarding, mountaineering, hunting, fishing and dozens of other outdoor activities—is assessed some of the highest duty rates applied to any products imported into the United States. While the average duty on imports is less than 2 percent, the rates on recreational performance outerwear average 17 percent, with some as high as 28 percent.

These disproportionately high tariffs were originally implemented to protect U.S. manufacturers from foreign competition, but now no longer serve that purpose. Instead, they stifle innovation and raise costs throughout our economy. In a recent report, the U.S. International Trade Commission recently found that there was no commercially viable production of recreational performance outerwear in the United States.

To better reflect this economic reality, the U.S. OUTDOOR Act will establish new tariff classifications for these products and will eliminate the disproportionately high tariffs assessed on them.

The legislation will also establish the Sustainable Textile and Apparel Research (STAR) Fund. Access to STAR Fund grants will be made available to certain non-profit organizations through a competitive process, with the overarching purpose of advancing U.S. competitiveness in lean manufacturing technologies and supply chain analysis. The STAR Fund will ultimately help the global textile and apparel industry in minimizing energy and water use, reducing waste and carbon emissions and incorporating sustainable practices into a product's entire life cycle.

Through these mechanisms, this legislation will support the outdoor industry, consumers of outdoor products, and environmental practices throughout the textile industry supply chain. I look forward to working with my colleagues to pass this important legislation.

DEPARTMENT OF STATE FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2010

SPEECH OF

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2009

Mr. SMITH of Washington. Madam Speaker, I rise in support of the Fiscal Year 2010 State and Foreign Operations Appropriations Bill. I'd like to thank Chairwoman LOWEY and Ranking Member GRANGER for their hard work on this bill and take a moment to explain the need for this important piece of legislation.

This bill improves America's leadership in the fight against global poverty and disease. As Congress continues to debate the efficacy of our foreign aid against the backdrop of a post–9/11 world, many Americans do not make the connection between national security and development.

It's more than just a moral problem that billions of people around the world are struggling to survive. It is also in our security interest as a nation. Populations that struggle in extreme poverty are more likely to become mired in destabilizing conflicts, or worse, become havens or recruiting grounds for terrorist organizations. Taking action to help lift people out of poverty and addressing the critical issues that go hand-in-hand with poverty will help prevent threats to U.S. security, and will also help create goodwill toward the U.S. in places where it is desperately needed.

The United States sits near the bottom of government aid donations by country wealth, donating just 0.18% of our national income. Now is the time to bolster our funding and development efforts to developing countries. The current economic climate is seriously impacting developing countries and they are in dire need of our assistance. According to the Organization for Economic Co-operation and Development, world trade is in the largest decline since 1929, and commodity prices, particularly for exports from developing countries, are falling.

I am pleased to see that this legislation contains $13.4 billion for national security, counterterrorism and counternarcotics programs, including significant funding for Afghanistan, Pakistan and Iraq. Yet, the funding focus in recent years on defense, while vital in our fight against extremism, has left behind the other D's—diplomacy and development. This bill helps remedy that by reforming and rebuilding America's diplomatic and development capacity. While it does not meet the full request by the President, the bill provides funding to hire 1,000 new State Department personnel and 300 new USAID personnel.

Unfortunately, U.S. efforts remain insufficient to counter violent extremist narratives around the world. Terrorist groups aggressively push their narrative through new and traditional media. I was pleased to see increased funding for public diplomacy programs in the FY2010 bill. The increase would support at least 20 new public diplomacy positions. Importantly, the funding also continues imperative programs which include the counterterrorism communication center, and the digital outreach team focused on engaging Arabic language websites to impart accurate information and counter misinformation about the United States. Strategic communication and public diplomacy should be at the front-and-center as we work to roll back al-Qaeda's and other violent extremists' influence among disaffected populations.

I would be remiss not to mention funding for the Millennium Challenge Account (MCA) which was increased over the current level. I am disappointed, however, that the allocation was less than the President's request. As the bill progresses I would urge continued support for global poverty reduction by funding the MCA at no less than the $1.4 billion allocated in this legislation. The Millennium Challenge Corporation's (MCC's) model of combating global poverty through initiatives that remove barriers to economic growth has not only been hailed as innovative, it has provided an effective complement to existing development aid streams.

The bill also provides $156 million for health and development assistance in the Democratic Republic of Congo (DRC) and prioritizes peacekeeping operations funding for the country. I witnessed the urgent need for this funding first hand when I visited the DRC earlier this spring. This bill includes funding for addressing gender-based violence and I would hope that priority is given to the areas in conflict and post-conflict such as the DRC which are afflicted most by these dehumanizing acts. Too often in these areas acts of rape and sexual abuse are, unfortunately, common events. Gender-based violence is a major public health and human rights problem throughout the world and it is most apparent in the DRC. There, a devastatingly high percentage of girls are reported to have been raped. Yet, this is only a fraction of the actual number as most cases are unreported.

Again, I thank Chairwoman LOWEY and Ranking Member GRANGER for their work on this legislation and urge my colleagues to support its passage. This bill would advance our ability to combat global poverty and is critical to our country's ability to address today's threats.

CONGRATULATING MICHAEL SULLIVAN ON THE OCCASION OF HIS RETIREMENT

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. BONNER. Madam Speaker, it is with great pride and pleasure that I rise to honor the distinguished career of Michael Sullivan on the occasion of his retirement as executive director of the Gulf Coast Exploreum Science Center after 11 years of service.

Mike served as a consultant for the Gulf Coast Exploreum for eight years before becoming its executive director in 1998. He and his wife, Eleanor Kulin, worked together planning and marketing the museum's major events.

In 1998, Mike oversaw the museum's relocation to its high-tech home at Government and Water Streets. Throughout his career, Mike brought 28 traveling exhibitions and 46 large-format films to the J.L. Bedsole IMAX Theater. The Exploreum was also named Alabama's Attraction of the Year in 2008 during the Governor's Conference on Tourism. The Exploreum was the most visited attraction in south Alabama and the seventh most visited in the state.

Under Mike's leadership, the Exploreum has brought one "blockbuster" exhibit after another to Mobile—bringing hundreds of thousands of visitors and millions of dollars to the local economy. In 2005, "The Dead Sea Scrolls" attracted 205,661 visitors to Mobile and an estimated $13.4 million to the local economy—in just 109 days.

In recognition of his many remarkable accomplishments, Mobile Mayor Sam Jones declared "W. Michael Sullivan Day" earlier this year. The J.L. Bedsole IMAX Dome Theater lobby was named in Mike's honor by the Exploreum board of trustees.

Madam Speaker, I ask my colleagues to join me in recognizing a dedicated leader and friend to many throughout the Gulf Coast. On behalf of all those who have benefited from the Gulf Coast Exploreum, permit me to extend thanks for enriching the lives of so many.

On behalf of a grateful community, I wish Mike and Eleanor the best of luck in all of their future endeavors.

THE CENTRAL VALLEY PROJECT

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. DICKS. Madam Speaker, as the chairman of the Interior and Environment Appropriations Subcommittee and someone who shares the concern of many in this House about the need to protect and restore threatened and endangered species, I wish to bring to the attention of my colleagues a report recently released by NOAA's National Marine Fisheries Service on the effects of the long-term operation of California's Central Valley Project and State Water Project.

The Central Valley Project is a Federal Bureau of Reclamation water project which supplies irrigation and municipal water to inland California from the Sacramento-San Joaquin River Delta. The Sacramento River, along with the American River, was once among the top salmon spawning rivers on the West Coast, behind only the Columbia and Snake Rivers. The Sacramento was the only river in the West with four salmon runs, with returning fish numbered in the millions. Now one run is gone, and two are endangered, and the fourth could be listed soon. The scientists concluded in this most recent biological opinion that without wild salmon from the Sacramento and American Rivers, the killer whales known so-well throughout the Puget Sound would likely face extinction.

These findings only stress the interconnectedness of our biosphere and the need to find a balance between the demands of irrigation and agriculture with those required by the species that once thrived in these rivers. In Washington State, we have worked very hard to find compromises between agriculture, power generation, and salmon restoration. While there is still work to be done, we have made great strides in implementing a mark selective fishery, one of the best tools for restoring wild salmon runs.

I look forward to working with my colleagues in California, Oregon, and Washington, in establishing a comprehensive plan to ensure the recovery and survival of our legendary wild salmon and killer whales.

In closing, Madam Speaker, I am submitting for the record an article recently published by McClatchy Newspapers, which provides an excellent overview of the biological opinion, the history of wild salmon in California, and the recent decline of the killer whales.

[From McClatchy Newspapers, July 5, 2009]

CALIFORNIA WATER PLAN AIMS TO SAVE PUGET SOUND ORCAS

(By Les Blumenthal)

WASHINGTON.—A plan to restore salmon runs on California's Sacramento River also could help revive killer whale populations 700 miles to the north in Puget Sound, as federal scientists struggle to protect endangered species in a complex ecosystem that stretches along the Pacific coast from California to Alaska.

Without wild salmon from the Sacramento and American rivers as part of their diet, the killer whales might face extinction, scientists concluded in a biological opinion that could result in even more severe water restrictions for farmers in the drought-stricken, 400–mile-long Central Valley of California. The valley is the nation's most productive farm region.

The plan has faced heated criticism from agricultural interests and politicians in California, but environmentalists said it represented a welcome departure by the Obama administration from its predecessor in dealing with Endangered Species Act issues.

The Sacramento plan, they add, is in sharp contrast to the plan for restoring wild salmon populations on the Columbia and Snake rivers in Washington state and Idaho. That plan, written by the Bush administration, essentially concluded that the long-term decline in those federally protected runs didn't jeopardize the killer whales' existence because hatchery fish could make up the difference.

The 85 orcas of the southern resident killer whale population travel in three separate pods, spending much of their time roaming the inland waters of Washington state from the San Juan Islands to south Puget Sound. During the winter they've been found offshore, ranging as far south as Monterey Bay in California and as far north as British Columbia's Queen Charlotte Islands. Each orca has distinctive markings, which allows them to be tracked.

In the mid-1990s, there were nearly 100 orcas in the three southern resident pods. The population fell to fewer than 80 in 2001. In 2005, they were granted federal protection as an endangered species. They've been studied closely for only 30 years or so, but historically there may have been up to 200 southern resident orcas.

Researchers think that the decline has resulted from pollution—which could cause immune- or reproductive-system dysfunction—and from oil spills, noise and other vessel disturbances, along with a reduced quantity and quality of prey.

With the largest 27 feet long and weighing 10,000 pounds, orcas are constantly on the prowl for food. They've been known to hunt in packs. Their meal of choice: salmon, particularly chinook salmon.

By some estimates, the orcas eat about 500,000 salmon a year.

''We are trying to figure out how killer whales fit in,'' said Bradley Hanson, a wildlife biologist with the National Marine Fisheries Services in Seattle who studies orcas. ''We don't have a lot of information on the movement of southern resident whales down the coast. We don't have a lot of information on adult salmon movements off the coast.''

Before 2000, Hanson said, no one was quite sure where the killer whales went when they went to sea. It was a surprise when they showed up near Monterey Bay, he said.

The Sacramento and American river systems combined were once among the top salmon-spawning rivers on the West Coast, trailing only the Columbia and Snake rivers.

Prompted by lawsuits, the National Marine Fisheries Service last month published its latest plan for the Sacramento and American rivers' winter and fall chinook salmon runs. Without further curtailments of water for the federal Central Valley Project—a several-hundred-mile network of dams, canals and pumping plants—and the California State Water Project—the nation's largest state-built water and power development and conveyance system, which supplies water for 23 million Californians—the two runs are in jeopardy of extinction, the plan said.

Without changes, the southern resident killer whales, a run of steelhead and a population of North American green sturgeon almost certainly would disappear, according to the plan.

The killer whale population is extremely fragile, and scientists said the loss or serious injury to just one could appreciably reduce the odds that the southern resident pods would recover or survive.

The scientists who wrote the Sacramento plan also said that hatchery-raised salmon couldn't be counted on to sustain the killer whales' survival.

''Healthy wild salmon populations are important to the long-term maintenance of prey populations available to southern residents, because it is uncertain whether a hatchery-only stock could be sustained indefinitely,'' the scientists said.

Not only are there concerns about long-term funding for the hatcheries, but scientists also have questions about whether hatchery fish are as genetically strong and healthy as wild ones. Though changes to the hatcheries could improve the fish they produce, there's no agreement on what needs to be done and no guarantees that the changes would work.

The latest plan for the Columbia-Snake wild salmon runs concluded that continued operation of the federal hydroelectric dams on the two rivers was ''not likely to adversely affect'' the killer whales. Earlier, federal scientists found that ''perhaps the single greatest change in food availability for resident killer whales since the late 1800s has been the decline of salmon from the Columbia River basin.''

Despite the decline in wild runs, the scientists who worked on the Columbia plan concluded that hatchery fish would be able to make up any deficit in the orcas' diet.

Though the Columbia-Snake salmon plan acknowledges the potential problems with hatchery fish, it dismisses, at least for now, their impact on killer whale food supplies.

Lynne Barre, a National Marine Fisheries Service scientist in Seattle who helped write both plans, downplays any differences.

''I think we say the same thing in both opinions,'' Barre said, adding that both plans recognize that hatchery fish could be a short-term substitute for wild fish but that there were concerns about whether hatchery fish could be a long-term food source for orcas. ''The general principles are similar.''

Environmentalists, however, say that the differences couldn't be more obvious.

''The contrasts are striking,'' said Todd True, a lawyer for the Seattle office of Earthjustice, which has challenged the Columbia-Snake plan in a lawsuit in federal court in Portland, Ore.

True said the Sacramento salmon plan was a ''candid piece of work that had a strong independent review and the absence of political interference.'' As for the Columbia-Snake plan, True said that it ''pretends there isn't a problem.''

The judge in the Portland case has given the Obama administration until Aug. 15 to indicate whether it'll stick with the Columbia-Snake salmon plan written during the Bush administration or offer a new one. True said he'd raise the orca issue again.

Other environmentalists said that Jane Lubchenco, who heads the National Oceanic and Atmospheric Administration, which includes the fisheries service, must be aware of the differences in how the two salmon plans addressed killer whales. Lubchenco is a marine biologist who taught at Oregon State University.

''They need to decide which of the contradictory statements are correct,'' said Pat Ford of Save Our Wild Salmon.

CONGRATULATIONS TO LADY VIKINGS

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. UPTON. Madam Speaker, I rise today to congratulate the Lady Vikings of Niles High School who recently won their first ever state championship in school history. These outstanding women were on a mission all season long, and this was a team of firsts—last season they were the first in school history to win a regional championship, and in 2009, they completed the mission and cemented their legacy as the first state champions in women's athletics at Niles High School.

Winning a state title is something that will last forever. It is a truly remarkable accomplishment that few teams in southwest Michigan ever experience, and it is a legacy that will live with the 2009 Lady Vikings forever. While the Vikings were led by the best pitcher in the State of Michigan, Jenna Ignowski, they were a team that worked hard to improve every part of their game. These Lady Vikings improved their defense throughout the season and there were no easy outs up and down the Viking lineup.

It is an honor to pay tribute to the entire Lady Vikings team and head coach Gary Collins.

On behalf of all of the residents of southwest Michigan, congratulations again to the Lady Vikings, Coach Collins and the entire Niles community—you are an inspiration to us all.

It is Viking Pride at its finest. Go vikings?

CONGRATULATING KAYEM FOODS, INC. OF CHELSEA, MASSACHUSETTS ON ITS 100TH ANNIVERSARY

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. CAPUANO. Madam Speaker, I rise today to congratulate Kayem Foods, Inc. of Chelsea, Massachusetts on its 100th anniversary. From humble beginnings in 1909 to a much higher profile in 2009 after being named the official hot dog of historic Fenway Park and Red Sox Nation, Kayem has developed a stellar reputation in the Greater Boston community for its dedication to quality products and community causes.

In 1909, Kazimierz Monkiewicz emigrated from Poland with his wife, Helena, and started a small business making kielbasa—native sausages from Poland—in their backyard in Chelsea. From there, he went on to achieve the American Dream, laying strong roots in the community and establishing a successful family business called Kayem—so named for Mr. Monkiewicz's initials.

As Kayem's reputation for quality meats spread, Monkiewicz began delivering to nearby communities via horse-drawn carriage. As the business grew further, Monkiewicz's four sons assumed roles in the burgeoning family enterprise. A century later, Kayem is still a family business with grandson Ray, recently retired as company president, now serving as chairman of the board of directors and 13 other family members working there as well.

In recent years, Kayem has expanded its market beyond New England. In addition to making 1 million hot dogs each day, Kayem is now known for its al fresco all natural chicken sausages, which have received several ''best of'' awards from national publications, and its line of delicious Kayem Brats.

Through its successful enterprise, Kayem is the city of Chelsea's largest employer, with more than 500 workers representing immigrants from more than 25 different nations. Kayem serves the Greater Boston community in ways beyond being a stable employer. A leading supporter of Chelsea institutions like the Jordan Boys & Girls Club, Centro Latino and Bunker Hill Community College, Kayem is known for its generosity, including regular food donations to dozens of local charitable events. Kayem recently established "Kayem Cares," a program that supports the fight against breast cancer through donations based on sales.

For its commendable history and contributions to the community over the past 100 years, I would like to extend my congratulations to Kayem Foods and the Monkiewicz family.

PERSONAL EXPLANATION

HON. JOHN BARROW

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. BARROW. Madam Speaker, had I been present to vote on the Stearns (FL) Amendment to H.R. 3081 the Department of State, Foreign Operations, and Related Programs Appropriations Act of 2010, I would have voted "no."

HONORING PHYLLIS BUSANSKY

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Ms. CASTOR of Florida. Madam Speaker, I rise today in honor of my friend Phyllis Busansky. Phyllis served my community in so many ways. Her last post was the Supervisor of Elections for Hillsborough County, Florida. Phyllis will always be remembered in our hearts for her brave leadership, for her open, gregarious style and for her ability and zeal to fix problems that were tough to tackle.

Phyllis served under Florida Governors Lawton Chiles and Jeb Bush and established the Welfare-to-Work program, which helped the state's poor find employment and financial stability.

After graduating from Wheaton College, Phyllis earned her master's of business administration from Brandeis University. She taught leadership and coalition building at Columbia University's School of Public Health. A native of Connecticut, Phyllis lived in Tampa for nearly three decades, and she and her husband, Sheldon, raised their three children there.

Before being elected Supervisor of Elections for Hillsborough County in 2008, Phyllis served our seniors as director of Hillsborough's Department for Aging Services and our entire community on the Hillsborough County Hospital Authority. In 1988 she was elected to serve two terms as a County Commissioner. There Phyllis led the fight to provide innovative and visionary county-wide health care for poor and working folks. Her legacy as the primary author of the Hillsborough County Health Care Plan lives on every day in the improved health of our neighbors and our community. She was truly passionate about making sure those who could least afford health care or had limited access had a fighter on their side. She was already showing her same passion as Supervisor of Elections, working tirelessly to guarantee that voters' rights were protected.

Phyllis was proud to be a "happy warrior" for so many causes. It is especially poignant to lose her during this crucial time when the Congress struggles to make health care a reality for all our neighbors. We will all need to draw on her energy and commitment and, being mindful of the huge gap she has left us, vow to work even harder.

Phyllis' big heart resulted in her describing many in our community as "fabulous", but the truth is that few are or ever will be as fabulous as Phyllis.

Madam Speaker, my thoughts and prayers are with her husband, Sheldon, and all her family. She will be sorely missed.

INTRODUCING THE SMALL BUSINESS GROWTH ACT

HON. BETSY MARKEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Ms. MARKEY of Colorado. Madam Speaker, today I introduced The Small Business Growth Act along with Representatives BLAINE LUETKEMEYER, ALAN GRAYSON, RON PAUL, GINNY BROWN-WAITE, VERN BUCHANAN, BOBBY BRIGHT, and ANN KIRKPATRICK. I thank them for their support.

As we all know small business is the economic backbone of America; small businesses provide nearly 70 million workers employment and 80 percent of all new jobs in America. Small businesses are struggling in these tough economic times. We must do more to help small business which will turn our economy around.

Under Section 179 of the Internal Revenue Code small business can expense machinery, equipment and furniture but not "real property"—new structures (buildings), renovations and structural components; this legislation corrects this matter.

The Small Business Growth Act is targeted to small businesses which have gross receipts of less than $5 million for the past three years. The legislation makes permanent a tax deduction for capital improvements that small businesses make to their facilities allowing them to take up to $125,000. An immediate tax deduction, rather than depreciation, will help small businesses to put money towards expanding their facility, purchasing a new piece of equipment, or hiring another worker—all of which creates jobs and stimulates our economy.

I urge all members to support The Small Business Growth Act.

THE COMPREHENSIVE NATIONAL CYBERSECURITY INITIATIVE

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. SMITH of Nebraska. Madam Speaker, in early 2008, President Bush established the Comprehensive National Cybersecurity Initiative to address cyberattacks on federal networks and President Obama has committed to fully continue this effort under his administration.

Awareness of our vulnerabilities to cyberattack and the need for action is nearly universal and goes beyond party lines.

The seriousness of this situation was brought into focus this week, when it was revealed a powerful attack overwhelmed computers at U.S. and South Korean government Web sites.

Other targets included the National Security Agency, the State Department, and the New York Stock Exchange.

It is our responsibility as a Congress—and my commitment as a member of the House Science and Technology Committee—to ensure we get this issue right, and ensure taxpayer dollars provide a return in the form of lasting and effective security, while also protecting privacy.

The need is real, the threat is present and clear, and I want to make sure our country is prepared.

PERSONAL EXPLANATION

HON. SCOTT MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. MURPHY of New York. Madam Speaker, on Thursday, July 9, 2009, I was absent from U.S. House of Representatives while on official business in my district.

Had I been present, I would have voted as follows: "no" on rollcall 497; "aye" on rollcall 498; "aye" on rollcall 499; "aye" on rollcall 500; "no" on rollcall 501; "aye" on rollcall 502; "no" on rollcall 503; "no" on rollcall 504; "no" on rollcall 505; "no" on rollcall 506; "no" on rollcall 507; "no" on rollcall 508; "aye" on rollcall 509; "aye" on rollcall 510; "aye" on rollcall 511; "aye" on rollcall 512; "no" on rollcall 513; "aye" on rollcall 514; "aye" on rollcall 515; "aye" on rollcall 516; "no" on rollcall 517; "no" on rollcall 518; "aye" on rollcall 519; "no" on rollcall 520; "aye" on rollcall 521; "no" on rollcall 522.

HONORING THE MEMORY OF MR. LEROY HILL

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. BONNER. Madam Speaker, south Alabama and indeed the entire state recently lost a dear friend, and I rise today to honor him and pay tribute to his memory.

Leroy Hill was born in Eagle Lake, Florida, and was a longtime resident of Grand Bay. He served in the Korean War as a staff sergeant ranger in the Airborne division of the U.S. Army.

Following his career in the Army, Mr. Hill moved to Savannah, Georgia, and began his career in the coffee business. He worked as a Maxwell House route man for the Belford Company earning $40 a week. In 1956, he transferred to Mobile and created his own coffee business, the Leroy Hill Coffee Company,

Inc. Mr. Hill purchased the Mobile operation of the Belford Company in 1968 and soon expanded the company into the Florida panhandle. Leroy Hill Coffee Company, Inc. today has 22 locations throughout the Southeast, and its products can be found in restaurants, grocery stores, and convenience stores.

Mr. Hill and his wife, Debbie, also ran a successful cattle business that started with the purchase of his first acreage in Grand Bay in the late 1960s. He was a longtime member of the Alabama Cattlemen's Association and ABBA Shrine. He also made many charitable donations as a way of thanking his community; he donated the playground equipment for Breitling Elementary School in Grand Bay.

Madam Speaker, I ask my colleagues to join me in remembering a dedicated community leader and friend to many throughout the state of Alabama. Leroy Hill will be deeply missed by his family—his wife, Debbie; his three sons, Roy Wayne, Todd, and Brian; his daughter, Debra Stewart; his stepdaughter, Brandy Ramsay; his 13 grandchildren; and his two sisters, Doris Gatlin and Dorthy Brooks Hicks—as well as the countless friends he leaves behind.

Our thoughts and prayers are with his family at this difficult time.

HONORING EIGHT DISTRICT OF WASHINGTON HIGH SCHOOLS

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. REICHERT. Madam Speaker, I rise today in recognition of five high schools located in the Eighth District of Washington that for the third year in a row were named to Newsweek Magazine's ranking of the top 1,500 public high schools in the country in academics. In 2009, all five high schools earned "top 100" recognition—the most coveted honor in the magazine.

The International School, Interlake High School, Newport High School, Sammamish High School, and Bellevue High School each earned the prestigious "top 100" recognition and two of the schools, Interlake High School and Sammamish High School, moved several places higher on the list than their positions last year.

During my tenure in the House, I've remained an outspoken advocate for investing in public education and the need for welcoming and safe learning environments. The five schools singled out for recognition by Newsweek have clearly developed a wonderful and unique learning environment to help students reach their full academic potential. The selfless, hardworking teachers and administrators who serve in these schools deserve equal recognition for the time and energy they devote to educating our children; they deserve our admiration and gratitude for their efforts.

EARMARK DECLARATION

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. POSEY. 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 for my Congressional District as a part of H.R. 2847, Commerce, Justice, Science Appropriations Act for Fiscal Year 2010.

Requesting Member: Congressman BILL POSEY

Project Funding Amount $600,000

Bill Number: H.R. 2847

Account: COPS, Technology

Legal Name of Requesting Entity: City of Palm Bay, Palm Bay, FL

Address of Requesting Entity: City of Palm Bay, 120 Malabar Road, Palm Bay, Florida 32907.

Description of Request: In order for our law enforcement officers to respond to critical incidents quickly and effectively, they need the proper resources. This funding would be used to help the City of Palm Bay outfit a vehicle with technology to provide on-site command, control, and coordination during critical incidents. Accordingly, the command center will be used as a headquarters for on-scene investigations and provide various agencies the necessary resources required to respond and complete missions.

PERSONAL EXPLANATION

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. MURPHY of Connecticut. Madam Speaker, on June 24, 2009, I missed rollcall 450, a vote on final passage of the Fiscal Year 2010 Homeland Security Appropriations bill. I was detained off the House Floor with legislative business.

If I had been present for the vote, I would have voted "aye."

HONORING THE MEMORY OF BERT BANK

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. BONNER. Madam Speaker, the state of Alabama recently lost a dear friend, and I rise today to honor him and pay tribute to his memory. Bert Bank, a World War II hero, an Alabama state legislator and radio pioneer, was an Alabama legend.

Mr. Bank attended the University of Alabama Law School and graduated in 1940. He served his country in the Air Force during World War II rising to the rank of major. He survived the Bataan Death March as a prisoner of war for 33 brutal months. When he returned to the United States, he spent two years in the Valley Forge General Hospital recovering from malnutrition. He later wrote the book Back From the Living Dead, which recounted his experiences as a prisoner of war.

When he returned to Tuscaloosa, he started the radio stations WTBC–AM and WUOA–FM and, in 1953, he started the University of Alabama Football Network.

In 1966, Mr. Bank was elected to the House of Representatives and served two terms. In 1974, he was elected to the Alabama Senate and served one term before running for lieutenant governor. During his twelve years in the Alabama House and Senate, he introduced legislation making it a felony to burn the American flag—Alabama was the first state to pass such legislation. He also authored legislation to make it a felony to burn a draft card, another first for the state of Alabama.

Mr. Bank was a champion for veterans. He introduced legislation that made it possible for veterans of the Gulf War to participate in the state sponsored college education program. He also authored legislation that rewarded the 21 Alabama Vietnam Prisoners of War with a $500 bonus.

Mr. Bank's years of service to Tuscaloosa, the broadcast industry, and the state of Alabama were recognized with numerous awards throughout his life. He received the Thad Holt Distinguished Broadcasters Award in 1969 and the Alabama Broadcasters Association Lifetime Achievement Award. In 2008, he was inducted into the Alabama Broadcasters Association Hall of Fame. He was also awarded the Silver Medal as Man of the Year by the Tuscaloosa Advertising Club and was named a Distinguished Service and Outstanding Alumnus by the University of Alabama College of Communication and Information Sciences. Mr. Bank was also presented the Bronze Star by the U.S. Air Force for his service during World War II.

Mr. Bank was a member of the disabled American Veterans, the American Legion, and the Veterans of Foreign Wars. He also established The Bert Bank Endowed Patriotism Scholarship Fund at the University of Alabama.

Madam Speaker, I ask my colleagues to join me in remembering a dedicated community leader and friend to many throughout the state of Alabama. Mr. Bert Bank will be deeply missed by his family—his wife, Gertrude, and his two sons, Jimmy and Ralph—as well as his many friends. Our thoughts and prayers are with them all at this difficult time.

CONGRATULATIONS TO LADY MUSTANGS

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. UPTON. Madam Speaker, I rise today to congratulate the Lady Mustangs of Portage Central High School on being named the 2009 Division 1 State Soccer Champions. This team of young ladies, lead by 24-year Mustang Coach Pat Norman, has put in endless hours of hard work and dedication making them the first program west of Ann Arbor and Saginaw to win a Division 1 Women's Soccer State Title since the debut of women's soccer in 1971.

Winning a state championship is a memory that will last a lifetime. It is a remarkable achievement that few teams ever experience, and it is a legacy that will live with the 2009 Lady Mustangs forever. This young team, lead by captains Shannon Bennett, Lauren Brown, and Courtney Havens-Mitchell, played a close game against the Utica Eisenhower Eagles and came out victorious beating the Eagles 3–2 in overtime.

It is an honor to pay tribute to the entire Lady Mustang team: Lindsey Arnett, Mara Bennett, Shannon Bennett, Samantha Bowdirch, Lauren Brown, Lunden Carpenter, Natalie Hall, Katie Hamilton, Courtney Havens-Mitchell, Shelby Humphries, Jaime Morton, Taylor Peterson, Lindsay Shafer, Charlie Socia, Meghan Sokolowski, Colleen Unsworth, Katelyn Weissert, Paige Wester, and Jordan Wolf. We are so proud of all of you.

On behalf of all the residents of southwest Michigan, congratulations again to the Lady Mustangs, Coach Norman and the entire Portage community—you are an inspiration to us all. It is Portage Central Pride at its finest. Go Mustangs!

CONGRATULATIONS TO THE LAFAYETTE-LEXINGTON DAUGHTERS OF THE AMERICAN REVOLUTION CHAPTER

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. SKELTON. Madam Speaker, let me take this moment to recognize the Lafayette-Lexington Daughters of the American Revolution Chapter for creating the Susan Skelton Memorial Scholarship. The scholarship was created in memory of my late wife Susan Anding Skelton, honoring her dedication to higher education and Lafayette County.

Susie, a native Missourian, graduated with a bachelor's degree in education from the University of Missouri, Columbia in 1958. In 1976, she served as the first president of the 95th Congress group, the organization representing spouses of new Members of Congress. Susie also played a prominent role in the Congressional Club, serving as treasurer for 2 years and then as president. She was only the second Missourian to serve in that position. As president, she presided over one of the largest memberships in the history of the organization. Additionally, she was president and vice president of International Club III, an organization for spouses of Members of Congress and Ambassadors and was a member of the Congressional Families for Drug-Free Youth.

In Missouri, Susie served two consecutive terms as Regent of the Lafayette-Lexington Chapter D.A.R. She also served 4 years on the Democratic State Committee during the 1970s. In Lexington, she taught Sunday school, was a Cub Scout den mother, and a local first grade teacher. Susie was also active in Missouri University Alumni Association events in Lafayette County.

Our family friend, LaVeda Cross, was aware of Susie's great involvement in both Washington, DC, and Missouri. As a result, LaVeda and the Lafayette-Lexington D.A.R. Chapter have offered a collegiate scholarship to those individuals that embody the values of Susie. I appreciate the D.A.R. chapter for recognizing the achievements and contributions of Susie. The scholarship is open to any female student who is a permanent resident of Lafayette County and a graduate of one of the following schools: Concordia R–H, Lafayette County C–1, Lexington R–V, St. Paul's Lutheran, or Wellington-Napoleon R–IX and plans to attend college after graduation.

Madam Speaker, Susie was influential in Lafayette County and Washington, DC. I am honored that the D.A.R. has created this scholarship in her name. I know the Members of the House will join me in recognizing the Lafayette-Lexington D.A.R. Chapter for assisting hard-working young women in achieving a higher education.

CENTENNIAL CELEBRATION OF THE MASTER BUILDERS ASSOCIATION OF KING AND SNOHOMISH COUNTIES

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. REICHERT. Madam Speaker, I rise today in recognition of the Centennial celebration of the Master Builders Association of King and Snohomish Counties in my home state of Washington—the oldest and largest local homebuilders association belonging to the National Association of Home Builders. For one hundred years, the Master Builders have been committed to creating well-built homes and utilizing solid business practices to help in making the Pacific Northwest a wonderful place to live.

Even as our country struggles through an economic downturn and many sectors of our economy, especially home builders, are feeling the negative effects of a reduced workload, the Masters Builders continue to work hard to better families, communities, and the environment.

The Master Builders continue to place an emphasis on community projects such as building free access ramps for disabled homeowners and building and maintaining shelters for the homeless. The Master Builders work with community-centered organizations like Vision House in Renton, Washington, and the Mercer Slough Environment Center in Bellevue, Washington. The Master Builders are celebrating their Centennial by performing 100 community service projects in King and Snohomish counties throughout 2009—projects that guarantee improvement in communities where people work, live, or play.

The Master Builders also formed Built Green, an environmentally-friendly, non-profit, residential building program to provide sustainable housing in the region and actively reach out to all levels of government to ensure our laws protect the environment and provide attractive and affordable communities.

I am pleased to consider the Master Builders as partners in our efforts to protect our environment and build up our communities. I congratulate them on this milestone and wish them continued success in their current and future projects.

EARMARK DECLARATION

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 2009

Mr. POSEY. 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 for my Congressional District as a part of H.R. 2997, the Agriculture Appropriations Act for Fiscal Year 2010.

Requesting Member: Congressman BILL POSEY (along with other Representatives)

Project Funding Amount $1,217,000

Bill Number: H.R. 2997

Account: National Institute of Food and Agriculture

Legal Name of Requesting Entity: University of Florida

Address of Requesting Entity: University of Florida, Institute for Food and Agriculture Sciences, Post Office Box 110180, Gainesville, FL 32611–0180

Description of Request: For critical continuation and expansion of vital Citrus Greening and Citrus Canker research to improve technologies for treatment and detection, methods of movement and containment, and means to control and eliminate these devastating diseases.

Daily Digest

HIGHLIGHTS

The House passed H.R. 3082, Military Construction and Veterans Affairs Appropriations Act, 2010.

Senate

Chamber Action

Routine Proceedings, pages S7333–S7375

Measures Introduced: Six bills were introduced, as follows: S. 1438–1443. **Page S7359**

Measures Passed:

Capitol Visitor Center Engraving: Senate agreed to 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. **Page S7372**

Role of Slave Labor in Construction of U.S. Capitol: Senate agreed to 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. **Page S7372**

Judicial Survivors Protection Act: Senate passed S. 1107, to amend title 28, United States Code, to provide for a limited 6-month period for Federal judges to opt into the Judicial Survivors' Annuities System and begin contributing toward an annuity for their spouse and dependent children upon their death. **Pages S7272–73**

Foreign Evidence Request Efficiency Act: Committee on the Judiciary was discharged from further consideration of S. 1289, to improve title 18 of the United States Code, and the bill was then passed. **Pages S7373–74**

Groves Nomination—Cloture: Senate began consideration of the nomination of Robert M. Groves, of Michigan, to be Director of the Census. **Page S7336**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, July 10, 2009, a vote on cloture will occur at 5:30 p.m., on Monday, July 13, 2009. **Page S7336**

A unanimous-consent-time agreement was reached providing at 4:30 p.m., on Monday, July 13, 2009, Senate resume consideration of the nomination, there be one hour of debate prior to a vote on the motion to invoke cloture thereon, with the time divided as follows: Senator Collins, Shelby, and Vitter with 15 minutes each, Senators Lieberman and Carper with 15 minutes equally divided; provided that at 5:30 p.m., Senate vote on the motion to invoke cloture; that if cloture is invoked, all post-cloture time be yielded back, and Senate vote on confirmation of the nomination. **Page S7336**

Nominations Confirmed: Senate confirmed the following nominations:

Raphael William Bostic, of California, to be an Assistant Secretary of Housing and Urban Development.

Peter Silva Silva, of California, to be an Assistant Administrator of the Environmental Protection Agency.

David H. Stevens, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

Victor M. Mendez, of Arizona, to be Administrator of the Federal Highway Administration.

Phyllis Corrine Borzi, of Maryland, to be an Assistant Secretary of Labor.

Christopher William Dell, of New Jersey, to be Ambassador to the Republic of Kosovo.

Charles H. Rivkin, of California, to be Ambassador to France, and to serve concurrently and without additional compensation as Ambassador to Monaco.

Nicole Lurie, of Maryland, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Assistant Secretary for

Preparedness and Response, Department of Health and Human Services.

Gordon S. Heddell, of the District of Columbia, to be Inspector General, Department of Defense.

Louis B. Susman, of Illinois, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland.

Laurie Susan Fulton, of Virginia, to be Ambassador to Denmark.

Timothy J. Roemer, of Indiana, to be Ambassador to India.

Gordon Gray, of Virginia, to be Ambassador to the Republic of Tunisia.

Richard J. Schmierer, of Virginia, to be Ambassador to the Sultanate of Oman.

Mark Henry Gitenstein, of the District of Columbia, to be Ambassador to Romania.

Pages S7374, S7374–75

Messages from the House: **Page S7359**

Measures Referred: **Page S7359**

Measures Placed on the Calendar: **Page S7359**

Additional Cosponsors: **Pages S7359–60**

Statements on Introduced Bills/Resolutions: **Pages S7360–61**

Additional Statements: **Pages S7359**

Text of H.R. 2892 as Previosuly Passed: **Pages S7361–72**

Adjournment: Senate convened at 10 a.m. and adjourned at 1:37 p.m., until 11 a.m. on Monday, July 13, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7374.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 3167–3169, 3171–3181; 1 private bill, H.R. 3182; and 11 resolutions, H. Con. Res. 164; and H. Res. 624–633, were introduced.

Pages H8007–08

Additional Cosponsors: **Pages H8008–10**

Reports Filed: Reports were filed today as follows:

H.R. 860, to reauthorize the Coral Reef Conservation Act of 2000, with an amendment (H. Rept. 111–196);

H.R. 129, to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California, with an amendment (H. Rept. 111–197);

H.R. 1442, to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909, with an amendment (H. Rept. 111–198);

H.R. 409, to provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway, with an amendment (H. Rept. 111–199);

H.R. 509, to reauthorize the Marine Turtle Conservation Act of 2004, with an amendment (H. Rept. 111–200);

H.R. 2188, to authorize the Secretary of the Interior, through the United States Fish and Wildlife Service, to conduct a Joint Venture Program to protect, restore, enhance, and manage migratory bird populations, their habitats, and the ecosystems they rely on, through voluntary actions on public and private lands, with an amendment (H. Rept. 111–201); and

H.R. 3170, making appropriations for financial services and general government for the fiscal year ending September 30, 2010 (H. Rept. 111–202).

Page H8007

Speaker: Read a letter from the Speaker wherein she appointed Representative Weiner to act as Speaker pro tempore for today. **Page H7949**

Chaplain: The prayer was offered by the Guest Chaplain, Dr. Alan Keiran, Office of the Senate Chaplain, Washington, DC. **Page H7949**

Military Construction and Veterans Affairs Appropriations Act, 2010: The House passed H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, by a yea-and-nay vote of 415 yeas to 3 nays, Roll No. 529. **Pages H7960–92**

Agreed to:

Edwards (TX) amendment (No. 1 printed in H. Rept. 111–195) that increases by $1,000,000 funds

to the Title II Department of Veterans Affairs, Veterans Health Administration, Medical services account. In turn, the amendment decreases by $1,000,000 funds to the Title II Department of Veterans Affairs, Veterans Health Administration, General Operating Expenses account; **Pages H7983–84**

Filner amendment (No. 2 printed in H. Rept. 111–195) that increases the level of funding for the Department of Veterans Affairs, Office of National Veterans' Sports Programs and Special Events by $3,500,000. Decreases funding for the VA's Medical Support and Compliance account by $3,500,000; **Pages H7984–85**

Capito amendment (No. 3 printed in H. Rept. 111–195) that increases funding for the United States Court of Appeals for Veterans Claims by $1,000,000, subsequently increasing the funding for veterans' free legal services by $1,000,000. The offset is produced by reducing the Office of Inspector General Account; **Pages H7985–86**

Garrett (NJ) amendment (No. 4 printed in H. Rept. 111–195) that increases funding for the Grants for Construction of State Veterans Cemeteries account by $4,000,000 and decreases funding for the Grants for Construction, Minor Projects account by $4,000,000; **Page H7986**

Sessions amendment (No. 5 printed in H. Rept. 111–195) that requires, not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report detailing the current and planned use of Hyperbaric Oxygen Therapy (HBOT) in Department of Veterans Affairs medical facilities. Such report shall include the number of veterans being treated with HBOT, the types of conditions being treated with HBOT and their respective success rates, and the current inventory of hyperbaric chambers; and **Pages H7986–87**

Moore (WI) amendment (No. 8 printed in H. Rept. 111–195) that prohibits the use of funds in this bill for the use of "enhanced use leases" at the three original National Homes for Disabled Volunteer Soldiers (Soldier's Home Branches) established before 1868. **Pages H7990–91**

Rejected:

Flake amendment (No. 6 printed in H. Rept. 111–195) that sought to prohibit funding for all of the member-requested earmarks for military construction projects (by a recorded vote of 62 ayes to 358 noes, Roll No. 528). **Pages H7987–90, H7991**

H. Res. 622, the rule providing for consideration of the bill, was agreed to by a recorded vote of 241 ayes to 179 noes, Roll No. 527, after agreeing to order the previous question by a yea-and-nay vote of 244 yeas to 174 nays, Roll No. 526. **Pages H7951–60**

A point of order was raised against the consideration of H. Res. 622 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H7951–53**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, July 13th for morning hour debate, and further, when the House adjourns on that day, it adjourn to meet at 10:30 a.m. on Tuesday, July 14th for morning hour debate. **Pages H7996–97**

Senate Referrals: S. 1107 and S. 1289 were referred to the Committee on the Judiciary. **Page H8006**

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H7959, H7960, H7991, and H7991–92. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 3:48 p.m.

Committee Meetings

OVER-THE-COUNTER DERIVATIVES REGULATION

Committee on Agriculture: and the Committee on Financial Services held a joint hearing to examine the regulation of over-the-counter (OTC) derivatives. Testimony was heard from Timothy F. Geithner, Secretary of the Treasury.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies approved for full Committee action the Labor, Health and Human Services, Education, and Related Agencies appropriations for fiscal year 2010.

HONDURAS CRISIS

Committee on Foreign Affairs: Subcommittee on the Western Hemisphere held a hearing on The Crisis in Honduras. Testimony was heard from Otto J. Reich, former Assistant Secretary, Western Hemisphere Affairs, Department of State.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Ordered reported the following: H.R. 22, amended, to amend chapter 89 of title 5, United States Code, to allow the United States Postal Service to pay its share of contributions for annuitants' health benefits out of the Postal Service Retiree Health Benefits Fund; H.R. 3137, To amend title 39, United States Code, to provide clarification relating to the authority of the United States Postal Service to accept donations

as an additional source of funding for commemorative plaques; H. Res. 209, amended, Commemorating the 80th anniversary of the daughters of Penelope, a preeminent international women's association and affiliate organization of the American Hellenic Education Progressive Association (AHEPA); H. Res. 373, Expressing support for designation of the month of September as "National Hydrocephalus Awareness Month;" H. Res. 534, Supporting the goals and ideals of "National Children and Families Day;" H. Res. 566, Congratulating the 2008–2009 National Basketball Association Champions, the Los Angeles Lakers, on an outstanding and historic season; H. Res. 612, 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; H.R. 1713, To name the South Central Agricultural Research Laboratory of the Department of Agriculture in Lane, Oklahoma, and the facility of the United States Postal Service located at 310 North Perry Street in Bennington, Oklahoma, in honor of former Congressman Wesley "Wes" Watkins; H.R. 2877, To designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the "lst Lieutenant Louis Allen Post Office;" H.R. 2971, To designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the "Dr. Martin Luther King, Jr., Post Office;" H.R. 2972, To designate the facility of the United States Postal Service located at 115 West Edward Street in Erath, Louisiana, as the "Conrad DeRouen, Jr., Post Office;" H.R. 3072, To designate the facility of the United States Postal Service located at 9810 Halls Ferry Road in St. Louis, Missouri, as the "Coach Jodie Bailey Post Office Building;" and H.R. 3119, 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."

Joint Meetings

No joint committee meetings were held.

CONGRESSIONAL PROGRAM AHEAD

Week of July 13 through July 18, 2009

Senate Chamber

On *Monday*, at 11 a.m., Senate will begin consideration of S. 1390, National Defense Authorization Act.

On *Monday,* at 4:30 p.m., Senate will resume consideration of the nomination of Robert M. Groves, of Michigan, to be Director of the Census, and after a period of debate, vote on the motion to invoke cloture thereon at 5:30 p.m.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: July 16, to receive a closed briefing to examine the START Treaty follow-on agreement, 9 a.m., SVC–217.

Committee on Banking, Housing, and Urban Affairs: July 14, to hold hearings to examine the creation of a Consumer Financial Protection Agency, 9 a.m., SD–538.

July 15, Subcommittee on Securities, Insurance and Investment, to hold hearings to examine the regulation of hedge funds and other private investment pools, 2:30 p.m., SD–538.

July 16, Full Committee, to hold hearings to examine how to prevent home foreclosures, 9:30 a.m., SD–538.

July 17, Subcommittee on Economic Policy, to hold hearings to examine the elements of a national manufacturing strategy, 10 a.m., SD–538.

Committee on the Budget: July 16, to hold hearings to examine the long-term budget outlook, 9 a.m., SD–608.

Committee on Commerce, Science, and Transportation: July 14, Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine consumer protection from fraud, 10 a.m., SR–253.

July 15, Full Committee, to hold hearings to examine the public safety impact of contraband cell phones in correctional facilities, 10 a.m., SR–253.

July 15, Full Committee, to hold hearings to examine the nominations of Mignon L. Clyburn, of South Carolina, and Meredith Attwell Baker, of Virginia, both to be a Member of the Federal Communications Commission, 2:30 p.m., SR–253.

July 16, Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine competition in the health care marketplace, 10 a.m., SR–253.

Committee on Energy and Natural Resources: July 14, to hold hearings to examine S. 796, to modify the requirements applicable to locatable minerals on public domain land, 10 a.m., SD–366.

July 15, Subcommittee on National Parks, to hold hearings to examine 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, 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, bills 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, 2:30 p.m., SD–366.

Committee on Environment and Public Works: July 14, to hold hearings to examine economic opportunities for agriculture, forestry communities, and others in reducing global warming pollution, 10 a.m., SD–406.

July 14, Full Committee, to hold hearings to examine transportation's role in climate change and reducing greenhouse gases, 2:30 p.m., SD–406.

July 16, Full Committee, to hold hearings to examine moving toward a clean energy economy, 9:30 a.m., SD–406.

Committee on Finance: July 14, to hold hearings to examine the nominations of William J. Wilkins, of the District of Columbia, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel, Daniel M. Tangherlini, of the District of Columbia, to be Chief Financial Officer, and Rosa Gumataotao Rios, of California, to be Treasurer of the United States, all of the Department of the Treasury, and Carmen R. Nazario, of Puerto Rico, to be Assistant Secretary for Family Support, Department of Health and Human Services, 10 a.m., SD–215.

Committee on Foreign Relations: July 14, business meeting to consider pending calendar business, Time to be announced, S–116, Capitol.

July 15, Full Committee, to hold hearings to examine the nominations of Vilma S. Martinez, of California, to be Ambassador to Argentina, Nicole A. Avant, of California, to be Ambassador to the Commonwealth of The Bahamas, Vinai K. Thummalapally, of Colorado, to be Ambassador to Belize, and John R. Nay, of Michigan, to be Ambassador to the Republic of Suriname, all of the Department of State, 10 a.m., SD–419.

July 15, Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine maritime disputes and sovereignty issues in East Asia, 2:30 p.m., SD–419.

July 16, Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine instability, terrorism, and economic disruption in relation to oil, 9:30 a.m., SD–419.

July 16, Full Committee, to hold hearings to examine the nominations of Anne Elizabeth Derse, of Maryland, to be Ambassador to the Republic of Lithuania, Donald Sternoff Beyer, Jr., of Virginia, to be Ambassador to Switzerland, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein, Howard W. Gutman, of Maryland, to be Ambassador to Belgium, and David H. Thorne, of Massachusetts, to be Ambassador to the Italian Republic, and to serve concurrently and without additional compensation as Ambassador to the Republic of San Marino, all of the Department of State, 3 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: July 13, business meeting to continue consideration of Affordable Health Choices Act, subcommittee assignments, and any nominations cleared for action, 2 p.m., SR–325.

July 16, Subcommittee on Employment and Workplace Safety, to hold hearings to examine the Workforce Investment Act of 1998, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: July 15, to hold hearings to examine the REAL ID Act, 10 a.m., SD–342.

July 16, Full Committee, to hold hearings to examine the nominations of Christine M. Griffin, of Massachusetts, to be Deputy Director, Office of Personnel Management, and Stuart Gordon Nash, to be an Associate Judge of the Superior Court of the District of Columbia, 10 a.m., SD–342.

July 16, Ad Hoc Subcommittee on Contracting Oversight, to hold hearings to examine contracting for Alaska native corporations, 2:30 p.m., SD–342.

Committee on the Judiciary: July 13, to hold hearings to examine the nomination of Sonia Sotomayor, of New York, to be an Associate Justice of the Supreme Court of the United States, 10 a.m., SH–216.

Committee on Rules and Administration: July 15, business meeting to mark up S. 1415, to amend the Uniformed and Overseas Citizens Absentee Voting Act to ensure that absent uniformed services voters and overseas voters are aware of their voting rights and have a genuine opportunity to register to vote and have their absentee ballots cast and counted, 9:30 a.m., SR–301.

Committee on Veterans' Affairs: July 14, to hold hearings to examine bridging the gap in care of women veterans, 9:30 a.m., SR–418.

Select Committee on Intelligence: July 15, closed business meeting to mark up an original bill authorizing funds for fiscal year 2010 for the intelligence community, 2:30 p.m., S–407, Capitol.

House Committees

Committee on Agriculture, July 14, Subcommittee on Livestock, Dairy and Poultry, hearing to review the economic conditions facing the dairy industry, 10 a.m., 1300 Longworth.

July 16, full Committee, hearing to review current issues in food safety, 10 a.m., 1300 Longworth.

Committee on Appropriations, July 13, Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies, to mark up fiscal year 2010 appropriations, 7 p.m., 2358–A Rayburn.

July 16, Subcommittee on Defense, executive, to mark up fiscal year 2010 appropriations, 9 a.m., H–140 Capitol.

July 17, full Committee, to mark up the Labor, Health and Human Services, Education, and Related Agencies appropriations for fiscal year 2010, 9 a.m., 2359 Rayburn.

Committee on Armed Services, July 15, hearing on Addressing a New Generation of Threats from Weapons of Mass Destruction: Department of Energy Nonproliferation Programs and the Department of Defense Cooperative Threat Reduction Program, 10 a.m. 2118 Rayburn.

July 15, Subcommittee on Oversight and Investigations, hearing on Beyond Service Core Competency: Are Our Junior Officers Prepared for Today's Security Environment? 2 p.m., 2212 Rayburn.

July 16, full Committee, hearing on Prosecuting Law of War Violations: Reforming the Military Commissions Act of 2006, 2 p.m., 2118 Rayburn.

July 16, Subcommittee on Defense Acquisition Reform Panel, hearing on Managing Serviced Contracts: What Works and What Doesn't? 8 a.m., 2212 Rayburn.

July 16, Subcommittee on Seapower and Expeditionary Forces, oversight hearing for the Electromagnetic Aircraft Launch Systems (EMALS), 10 a.m., 2212 Rayburn.

Committee on the Budget, July 16, hearing on Budgeting for Nuclear Waste Management, 10 a.m., 210 Cannon.

Committee on Financial Services, July 13, Subcommittee on Oversight and Investigations, hearing entitled ''Preventing Unfair Trading by Government Officials,'' 2 p.m., 2128 Rayburn.

July 14, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''SEC Oversight: Current State and Agenda,'' 10 a.m., 2128 Rayburn.

July 15, full Committee, hearing entitled ''Banking Industry Perspectives on the Obama Administration's Financial Regulatory Reform Proposals,'' 10 a.m., 2128 Rayburn.

July 15, Subcommittee Housing and Community Opportunity, to continue hearings entitled '' Legislative Options for Preserving Federally- and State-Assisted Affordable Housing and Preventing Displacement of Low-Income, Elderly and Disabled Tenants,'' 2 p.m., 2128 Rayburn.

July 16, Subcommittee on Domestic Monetary Policy and Technology, hearing entitled ''Regulatory Restructuring: Safeguarding Consumer Protection and the Role of the Federal Reserve,'' 2 p.m., 2128 Rayburn.

July 17, full Committee, hearing entitled ''Industry Perspectives on the Obama Administration's Financial Regulatory Reform Proposals,'' 10 a.m., 2128 Rayburn.

Committee on Homeland Security, July 15, Subcommittee on Transportation Securityand Infrastructure Protection, hearing entitled ''General Aviation Security: Assessing Risks and the Road Ahead,'' 2 p.m., 311 Cannon.

July 16, Subcommittee on Border, Maritime and Global Counterterrorism, hearing entitled ''Combating Border Violence: The Role of Interagency Coordination in Investigations,'' 10 a.m., 311 Cannon.

Committee on House Administration, July 15, Subcommittee on Elections, hearing on Examining Uniformity in Election Standards, 2 p.m., 1310 Longworth.

Committee on the Judiciary, July 14, Subcommittee on Courts and Competition Policy, hearing on Biologics and Biosimilars: Balancing Incentives for Innovation, 2 p.m., 2141 Rayburn.

July 14, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Mandatory Minimums and Unintended Consequences; and to consider the following bills: H.R. 2934, Common Sense in Sentencing Act of 2009; H.R. 834, Ramos and Compean Justice Act of 2009; and H.R. 1466, Major Drug Trafficking Prosecution Act of 2009, 10:30 a.m., 2141 Rayburn.

July 15, Subcommittee on Crime, Terrorism and Homeland Security, hearing on H.R. 1064, Youth Prison Reduction Through Opportunities, Mentoring, Intervention, Support and Education Act, 3 p.m., 2141 Rayburn.

Committee on Natural Resources, July 15, hearing on the following bills: H.R. 2678, Duwamish Tribal Recognition Act; H.R. 1358, Burt Lake of Ottawa and Chippewa Indians Reaffirmation Act; H.R. 30842576, Chinook Nation Restoration Act; and H.R. 3120, Little Shell Tribe of Chippewa Indians Restoration Act of 2009, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, July 14, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, oversight hearing entitled ''Back on Track: WMATA Red Line Metrorail Accident and Continual Funding Challenges,'' 2 p.m., 2247 Rayburn.

July 14, Subcommittee on National Security and Foreign Affairs, hearing entitled ''U.S. Promotion of the Afghan Economy: Impediments and Opportunities,'' 10 a.m., 2154 Rayburn.

July 16, full Committee and the Subcommittee on Domestic Policy, to continue joint hearings entitled '' Bank of America and Merrill Lynch: How Did a Private Deal Turn Into a Federal Bailout? Part III,'' 10 a.m., 2154 Rayburn.

Committee on Rules, July 13, hearing on H.R. 1549, Preservation of Antibiotics for Medical Treatment Act of 2009, 2:30 p.m., H–313 Capitol.

July 14, to consider the following: H.R. 3170, Financial Services and General Government Appropriations Act, 2010; and the Energy and Water Development and Related Agencies Appropriations Act, 2010, 3 p.m., H–313 Capitol.

Committee on Science and Technology, July 14, Subcommittee on Energy and Environment, hearing on New Roadmaps for Wind and Solar Research and Development, 2 p.m., 2318 Rayburn.

July 15, Subcommittee on Technology and Innovation, to consider H.R. 2569, To authorize surface transportation research, development, and technology transfer activities, 10 a.m., 2318 Rayburn.

July 16, Subcommittee on Investigations and Oversight, hearing on Providing Aviation Weather Services to the FAA, 2 p.m., 2318 Rayburn.

July 16, Subcommittee on Space and Aeronautics, hearing on Enhancing the Relevance of Space to Address National Needs, 2 p.m., 2318 Rayburn.

Committee on Small Business, July 15, hearing entitled ''Economic Recovery: Tax Stimulus Items that Benefitted Small Business with a Look Ahead,'' 1 p.m., 2360 Rayburn.

July 16, Subcommittee on Investigations and Oversight, hearing entitled ''The Upcoming Highway Bill and Ensuring It Meets the Needs of Small Businesses,'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, July 15, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on Evaluating

GSA's First Experience with National Broker Contracts, 10 a.m., 2167 Rayburn.

July 15, Subcommittee on Water Resources and Environment, hearing on ''Opportunities and Challenges in the Creation of a Clean Water Trust Fund,'' 2 p.m., 2167 Rayburn.

July 16, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on Green Buildings Offer Multiple Benefits: Cost Savings, Clean Environment and Jobs, 2 p.m., 2167 Rayburn.

July 16, Subcommittee on Highways and Transit, hearing on The Importance of a Long-Term Surface Transportation Authorization in Sustaining Economic Recovery, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, July 14, Subcommittee on Oversight and Investigations, hearing on Examining the Progress of Electronic Health Record Interoperability Between VA and DOD, 10 a.m., 334 Cannon.

July 15, full Committee, to mark up pending business, 10:15 a.m., 334 Cannon.

July 16, Subcommittee on Disability Assistance and the Subcommittee on Memorial Affairs and Health, joint hearing on Eliminating the Gaps: Examining Women Veterans' Issues, 10 a.m., 334 Cannon.

July 16, Subcommittee on Economic Opportunity, hearing on State Approving Agencies, 1 p.m., 340 Cannon.

Permanent Select Committee on Intelligence, July 14, Subcommittee on Intelligence Community Management, hearing on Security Clearance Reform, 1:30 p.m., room to be announced.

Next Meeting of the SENATE

11 a.m., Monday, July 13

Senate Chamber

Program for Monday: Senate will begin consideration of S. 1390, National Defense Authorization Act. Also, Senate will resume consideration of the nomination of Robert M. Groves, of Michigan, to be Director of the Census, and after a period of debate, vote on the motion to invoke cloture thereon at 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, July 13

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

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