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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 20, 2009.

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

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

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

RECESS

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

Accordingly (at 12 o'clock and 31 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DRIEHAUS) at 2 p.m.

PRAYER

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

Lord God, when You speak Your word, true servants stop and listen attentively. Open our receptivity with renewed faith. Practiced in public speaking and surrounded by debate, all too often it becomes difficult for us to truly listen to one another. In a world that prides itself on accelerated information and sophisticated communications systems, the art of asking the deeper questions is often lost in noisy chatter.

Lord, help all of us to be better skilled in honest dialogue and more patient in building consensus. No one of us holds onto the whole truth. But with Your help, we can admit our limitations and share what we have. That will prove to be enough—to offer clarity and promise—enough to move forward just a bit, both now and forever.

Amen.

THE JOURNAL

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

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

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

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

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

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

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

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

Mr. LUJÁN 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

HOUSE OF REPRESENTATIVES
Washington, DC, July 20, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 20, 2009, at 11:26 a.m.:

That the Senate passed without amendment H.R. 3114

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,
Clerk.

SILENCING AMERICAN VOICES IN THE APPROPRIATIONS PROCESS

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

Mr. BROUN of Georgia. Mr. Speaker, as we enter the fourth week of the appropriations process, I stand before you once again, angry and frustrated that the Democratic leaders continue to silence the voices of the American people by refusing to allow this body to debate legislation in an open and transparent way. As the American people

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know by now, Democratic leaders have limited the time of debate and the number of amendments to spending bills that the minority could bring up. This is an unprecedented practice that has not been done by either Republican or Democratic majorities in recent memory.

Mr. Speaker, this is completely outrageous. The opposition party and the American people deserve an opportunity to examine and criticize the majority's policies, and then we deserve the opportunity to offer alternatives when we disagree.

But what Speaker PELOSI is doing now not only goes against the practices of this House; it also goes against everything she promised the American people when Democrats took control of the House in 2006. Mr. Speaker, this Congress is passing nonstimulus stimulus packages, cap-and-trade boondoggles, and now we're silencing the voices of the American people.

I ask, when is enough enough? It has to change.

OPPOSING JOB-KILLING CAP-AND-TRADE LEGISLATION

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

Mr. BOOZMAN. Mr. Speaker, I rise today to bring to the floor my constituents' opposition to the cap-and-trade bill recently passed in the House. At a time when this country faces the possibility of a double-digit unemployment rate, a tax that will lead to fewer jobs, force Americans to pay more energy costs and raise the price of every manufactured good is unthinkable.

My constituents, as well as I, wonder how we will afford the predicted $1,200 to $3,100 increase in annual energy costs. Take, for example, one senior citizen in my district who lives on a fixed income and is no longer able to work. Already living at a bare-bones level, he cannot afford a $3,100 increase in his expenses. My constituent will not find himself alone in such a predicament. If cap-and-trade were to become law, it would amount to the largest tax hike in United States history; and in our current economic climate, it would leave many Americans pinching pennies simply to turn on the lights.

No one is opposed to clean air and water, but there are other methods of protecting our environment that support the best interests of our citizens. Instead of legislation that would deepen our economic troubles, Congress should prioritize legislation that will protect jobs, create jobs, and stimulate the economy.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

CELEBRATING 40TH ANNIVERSARY OF APOLLO 11 MOON LANDING

Mr. LUJAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 607) celebrating the Fortieth Anniversary of the Apollo 11 Moon Landing.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 607

Whereas the Apollo program was designed to achieve the goal established by President Kennedy by sending a crew of three astronauts to the Moon and returning them safely to the Earth;

Whereas the Apollo program built on the knowledge and experience gained from the Mercury and Gemini human space flight programs, as well as from precursor robotic lunar exploration activities;

Whereas the crew of Apollo 11 consisted of Neil Armstrong, Mission Commander, Buzz Aldrin, Lunar Module Pilot, and Michael Collins, Command Module Pilot;

Whereas the crew of Apollo 11 launched into space aboard a Saturn V rocket on July 16, 1969, on a 4-day trip to the Moon;

Whereas, on July 20, 1969, Neil Armstrong and Buzz Aldrin successfully piloted the Eagle Lunar Module to the surface of the Moon;

Whereas, on July 20, 1969, when Neil Armstrong took his first step on the Moon, he became the first person to walk on the surface of another celestial body;

Whereas the Apollo 11 Moon landing was the culmination of the efforts of tens of thousands of scientists, engineers, and other dedicated individuals and organizations;

Whereas the Apollo 11 Moon landing was experienced by millions of people all around the world by means of radio and television broadcasts;

Whereas the Apollo 11 astronauts left a plaque on the lunar surface that stated: ''We came in peace for all mankind'';

Whereas the successful Apollo 11 Moon landing was one of the most significant events of the 20th century and inspired a generation to strive towards great accomplishments in space and on Earth; and

Whereas the Apollo 11 achievement continues to inspire Americans as we prepare for future human journeys back to the Moon and other destinations in the solar system: Now, therefore be it

Resolved, That the House of Representatives—

(1) celebrates the 40th Anniversary of the Apollo 11 lunar landing;

(2) honors the brave crew of the Apollo 11 mission—Neil Armstrong, ''Buzz'' Aldrin, and Michael Collins; and

(3) commends all those individuals and organizations who contributed to such a historic achievement that continues to be an inspiration to the Nation and the world.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. LUJÁN) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

GENERAL LEAVE

Mr. LUJÁN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H. Res. 607, the resolution now under consideration.

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

There was no objection.

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

I rise in strong support of House Resolution 607 which was introduced by Ranking Member HALL, with Chairman GORDON, Chairwoman GIFFORDS, and Space and Aeronautics Subcommittee Ranking Member OLSON as original cosponsors. I want to thank Mr. HALL and the others for their initiative in introducing this resolution.

The Apollo 11 Moon landing was one of the most significant events of the 20th century. It is only fitting that we celebrate it today as we mark the 40th anniversary of that historic event. That successful landing was a culmination of 8 years of sustained hard work and dedication by countless engineers, scientists, technicians and others to meet the audacious challenge laid down by President John Kennedy in 1961 at a time when it looked as though the Soviet Union had an insurmountable lead in the space race. It took the efforts of many to make Apollo a success, and they all can take pride in what they accomplished.

What had seemed only a lofty centuries-old goal of humanity a mere decade earlier became a wonderful reality when Mission Commander Neil Armstrong proudly announced on July 20, 1969, ''Houston, Tranquility Base here. The Eagle has landed.''

Mr. Speaker, the inspiration and hard work that undergirded the successful Apollo 11 mission also laid the foundation for a host of technologies on which today's society depends. Apollo also stimulated as well as enthused generations of engineers and scientists who have contributed so much to our Nation's well-being in the ensuing decades.

In short, the Apollo program continues to deliver benefits to our country even today. Yet the legacy of Apollo is also the example of the brave astronauts who carried out those risky, challenging missions. Let us all honor the unforgettable accomplishments of the crew of Apollo 11: Mission Commander Neil Armstrong, Lunar Module Pilot Buzz Aldrin, and Command Module Pilot Michael Collins, who participated in the first expedition to set foot on another celestial body. Their cool bravery and professionalism captured the imagination of the American people, and they remain genuine national heroes 40 years after they returned home from the Moon.

Mr. Speaker, in closing, I would again like to recognize and thank Ranking Member HALL for introducing this resolution along with Chairman

BART GORDON, Chairwoman GABRIELLE GIFFORDS, and subcommittee Ranking Member OLSON. I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I rise today in support of House Resolution 607 which honors and commemorates the 40th anniversary of the Apollo 11 Moon landing. This event marked an extraordinary achievement in the history of mankind as we explored beyond the bounds of our own world and landed upon another.

On May 25, 1961, in a speech to Congress, I remember hearing President John F. Kennedy set the goal of landing Americans on the Moon and then returning them safely to Earth. The space program and NASA were in their infancies. This was an audacious goal; but the point was not about accomplishing what was easy but that which was very difficult, that which was extremely hard.

Kennedy knew that inspiring our Nation to rise to this challenge would serve to organize and measure the very best of American capabilities. The Apollo program expanded on the knowledge and experience gained from the Mercury and Gemini human space flight programs as well as from precursor robotic and lunar exploration activities. Prior to Apollo 11, four Apollo missions were sent into space and around the Moon to gather data.

On July 16, 1969, the Apollo 11 crew, consisting of Mission Commander Neil Armstrong, Lunar Module Pilot Buzz Aldrin, and Command Module Pilot Michael Collins, launched from the Kennedy Space Center, Florida, atop a Saturn 5 rocket that would carry them beyond the pull of Earth's gravity on their historic 4-day trip to the Moon. As they left the Earth, they did not know whether they would ever return. They were intrepid explorers, the Columbuses and Magellans of our generation, risking their lives to explore the unknown for all of us.

On July 20, 1969, after traveling 240,000 miles through space, the Apollo 11 crew successfully landed the Lunar Module Eagle on the Moon in the Sea of Tranquility. During that momentous event, millions of people in America and around the world watched in awe as Neil Armstrong took his famous first step and became the first person to walk on the surface of another celestial body.

□ 1415

The Apollo 11 Moon landing was the culmination of years' worth of experience, and the combined efforts of tens of thousands of engineers, scientists and other devoted individuals and organizations that were committed to accomplishing the task that had been set upon them 8 years earlier.

The very successful landing was one of the most significant and important events in the 20th century. It inspired an entire generation to strive toward great accomplishments in space, as well as on Earth. It resulted in the greatest increases in science and engineering enrollments at all of our colleges and universities. It continues to inspire new generations as we prepare to journey back to the Moon and beyond, to other destinations in our solar system.

Today as we celebrate the Apollo 11 mission and reflect on the future of our space program, we should reexamine the lessons learned from Apollo. America's economic, educational and technological strength can benefit from a clear, challenging and inspirational goal for human space exploration. It will take national leadership at all levels, and we need to adequately fund the endeavor. If we succeed, we will continue to lead the world in science and engineering enrollments at our colleges and in our universities, and our technology and industry will continue to be the envy of the world.

As President Kennedy knew, the difficult challenges of space exploration serve to organize and measure our abilities, but they also lead to unanticipated spinoffs in areas such as health care, materials science and microcomputing that can be harnessed for other pressing national needs. On this anniversary of the Apollo 11 mission, I hope we heed the lessons of the past and push forward into the future.

I urge Members to fully support our Nation's space program. And I urge them to support House Resolution 607 celebrating and commemorating the 40th anniversary of this extraordinary achievement.

Mr. GORDON of Tennessee. Mr. Speaker, I rise in strong support of H. Res. 607. I want to thank Mr. HALL for his initiative in introducing this legislation, and I am pleased to be an original cosponsor of it.

Today, July 20th, we celebrate the fortieth anniversary of one of our nation's greatest achievements—humanity's first steps on another world. It was an amazing event, and I am proud that Americans were the first to take those steps.

Mr. Speaker, the resolution before us today honors the efforts and accomplishments of Neil Armstrong, Buzz Aldrin, and Michael Collins in successfully carrying out the Apollo 11 mission. It also recognizes the many other dedicated individuals who worked so hard to turn President Kennedy's challenge into a reality.

The success of the Apollo 11 mission, carried out in full view of the rest of the world, was a clear demonstration of both the technological capabilities of the United States of America and the willingness of our citizens to strive to accomplish great undertakings.

Yet the Apollo program was as much about the journey as it was about the ultimate destination. Thus, the investments we made in our space program in the 1960s helped inspire a generation to seek to pursue careers in science and engineering. It led to a flowering of innovation, and it helped spawn a panoply of new technologies, materials, and processes that have delivered benefits to all of our citizens over the past forty years.

That is the legacy of Apollo as much as Armstrong's and Aldrin's footprints on the Moon. As we contemplate future journeys back to the Moon as well as to other destinations in the solar system, Apollo 11 is a compelling reminder of what this country is capable of when we decide to take on a challenging task.

Mr. Speaker, I am pleased that we are today remembering the brave crew of Apollo 11 as well as all the other individuals and organizations who made their expedition possible. I hope that we can draw continued inspiration from their example as we embark on a new chapter in space exploration in the years and decades ahead.

Ms. GIFFORDS. Mr. Speaker, I rise in strong support of H. Res 607, a resolution to honor the 40th anniversary of the Apollo 11 Moon landing. As you know, it was 40 years ago today that the citizens of planet Earth received a message from one of their own beamed all the way back from the surface of the Moon. That message was the historic signal that humanity had at long last set foot on another world. What an amazing accomplishment! Or as Apollo 11 Mission Commander Neil Armstrong said: "That's one small step for a man, one giant leap for mankind."

At that time, the American people could still remember the impact created by the Soviet Union's successful launch of Sputnik in 1957, which led to the Space Race with the USSR. Our nation indeed took a "giant leap" when, 12 years later, two American astronauts successfully landed the Eagle Lunar Module on the Sea of Tranquility, walked upon the lunar surface, and then returned safely to Earth.

Not only had this achievement demonstrated America's technological preeminence in the eyes of the world, it also inspired generations of engineers and scientists. Indeed, it can be argued that one of the most lasting benefits of the Apollo program was the flood of innovation and inspiration that it unleashed. It is not an overstatement to say that we remain today the beneficiaries of the restless energy and hard work that culminated in the success of Apollo 11.

Thus I think it is incredibly important for us to pause to remember and honor the bravery and success of the crew of Apollo 11: Neil Armstrong, Buzz Aldrin, and Michael Collins. In addition, we should also remember and honor all of the countless individuals and organizations who labored long and hard to make Apollo 11 possible. Yet I think that the best way to honor their accomplishment is to make our own commitment to a challenging and robust program of human and robotic exploration of the solar system. It is time for America to take the next steps in space—we cannot simply rest on our laurels, no matter how hard-won.

Mr. Speaker, in closing I would like to thank Ranking Member HALL for introducing this resolution. I am proud to be an original cosponsor, and I urge my colleagues to support it.

Mr. WILSON of South Carolina. Mr. Speaker, I rise today with a poetic tribute penned by Albert Carey Caswell in honor of the Apollo 11 astronauts and the fortieth anniversary of the landing of a man on the moon. I asked that this be placed in the RECORD in honor of all of those dedicated and most heroic Americans who have over the years in the space program made it all possible, as Mars looms next.

FORTY YEARS AGO THIS DAY . . .

Forty years ago this day . . .
Three brave hearts hurdling through outer space . . .

To walk upon the moon . . .
A moonlit sky . . .
As upon her are placed all eyes . . .
All in wonder, all in such grace and awe . . .
As throughout time such dreams were made . . .
But, since the very dawn . . .
To walk on the moon, this rhyme . . .
For as long as woman and mankind . . .
Have looked up upon these Sea of Skies . . .
To find . . .
To find that enchanting moon, all in time . . .
This dream has grown . . .
To walk upon the Moon . . .
Lover's all in embrace . . .
On starlite nights, up there their souls are placed . . .
Such thoughts of fancy, all in hearts have raced . . .
To walk upon the Moon . . .
As a dream as old as time, has swooned . . .
As it was but forty years ago this day . . .
As three lone men, three lone souls led the way . . .
Hurdling through outer space, all out there own their own . . .
As to the moon they would go . . .
But riding on the very edge of death . . .
As their most heroic of all hearts would crest . . .
All in that historic quest, to walk upon the Moon . . .
While, upon crude primitive machines of mankind their fine lives were pledged . . .
''One step for man, one giant leap for mankind'' as said . . .
Walking On The Moon!
As generation after generation . . .
But, dreamed of solving this equation . . .
Of walking on the Moon . . .
Until, a bright star named Kennedy . . .
Into a future this torch he'd seed . . .
To walk upon the Moon to succeed . . .
As launch by launch . . . mission by mission . . .
As was set a trajectory, a course of action all in his vision . . .
By all of those, who now so lie in such soft cold quiet graves . . .
All so we could be here . . .
Walking on the Moon . . .
To them we say, God Bless you all!
And to all of those families who've lived without . . .
We pray with such thanks and gratitude, no doubt . . .
For your loved ones sacrifice, this world has blessed . . .
As those final moments passed . . .
Which now lie etched, all in our hearts to last . . .
For we will long remember, these true pioneers of space . . .
Early explorers, who would not wait
As into grave danger their fine lives they placed . . .
Armstrong, Aldrin, and Collins who stood fast . . .
Walking on the Moon . . .
For all great explorers have so met that test . . .
With a journey begun . . .
A star lite night . . .
As two lovers gaze up in sight . . .
Up upon those skies so bright . . .
But, where dreams are made . . .
For as long as courageous quests live on . . .
All carried in hearts of men and women of faith so strong . . .
They such magnificent dreams will live on . . .
Can but Mars be far behind?
Forty Years Ago This Day!

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H. Res. 607 to celebrate the 40th Anniversary of the Apollo 11 Mission which put the first humans on the moon.

On July 20, 1969, mankind took the greatest step in exploration the world had ever known when Neil Armstrong stepped off the ladder of the lunar spacecraft and onto the dusty, cold surface of the moon. So much more than a few steps, the first walk on the moon symbolized the hopes and dreams of our nation during the difficult period of the Cold War, and together, Americans watched as a new chapter began in the history of our nation and the world.

The first moon landing is especially relevant today as we continue to unlock the many scientific mysteries of our planet and our universe. When we look back on the achievements of yesterday, it is important to remember the significance of setting goals for the future and researching for the achievements of tomorrow. Truly, we have benefitted immensely from the technological advancements that were developed forty years ago, and it is my hope that we will build on this tradition of research and scientific knowledge.

Today, on the 40th anniversary of the first moon landing, we remember this event and the sense of curiosity and awe the world felt when history was made and Neil Armstrong took that famous first ''small step for a man,'' and ''giant leap for mankind.''

I urge my colleagues to join me in commemorating the first moon landing, and to support initiatives such as the Science, Technology, Education, and Mathematics (STEM) initiatives so that the future may hold the promise seen that mid-July night, when a small step became the greatest mankind has ever known.

Mr. PAUL. Mr. Speaker, I am pleased to cosponsor H. Res. 607, which commemorates the fortieth anniversary of the Apollo 11 moon landing. Apollo 11's successful mission was certainly ''a giant step for mankind,'' that should be a source of pride for all Americans.

One of my favorite quotes regarding the moon landing was penned by philosopher Ayn Rand in 1969: ''Think of what was required to achieve that mission: think of the unpitying effort; the merciless discipline; the courage; the responsibility of relying on one's judgment; the days, nights and years of unswerving dedication to a goal; the tension of the unbroken maintenance of a full, clear mental focus; and the honesty. It took the highest, sustained acts of virtue to create in reality what had only been dreamt of for millennia.''

Rand's words not only apply to the Apollo 11 mission but to all of the work of the National Aeronautics and Space Administration (NASA). As a representative of the Gulf Coast of Texas, which is home to many of NASA's most significant triumphs, I have had the opportunity to meet many NASA employees. I have always been impressed by their professionalism and dedication to their mission.

In conclusion, I urge my colleagues to join me in celebrating the fortieth anniversary of the Apollo 11 mission to the moon by supporting H. Res. 607.

Ms. KOSMAS. Mr. Speaker, I rise today in support of House Resolution 607, a resolution recognizing and honoring the three American heroes of the Apollo 11 mission, as well as the tens of thousands of engineers, scientists, and support personnel whose efforts were essential to the mission's success and the American qualities of ingenuity, exceptionalism, and creativity that drove their achievements.

In this very chamber, President Kennedy asked for every scientist, engineer, serviceman, technician, contractor, and civil servant to give their personal pledge that this nation will move forward, with the full speed of freedom, in the exciting adventure of space. When he made this request of our nation it was on a scale equaled only by two other feats in the history of the world; the digging of the Panama Canal and The Manhattan Project.

Just as we honor those that made the Apollo program a success, this occasion should be a time to recognize the rich history and tradition of aeronautical innovation in our nation's past and recommit ourselves to continuing this spirit of adventure and innovation that made our nation what it is today. From the Wright Brothers and Charles Lindbergh to Robert Goddard and Von Braun's Saturn V; from Alan Sheppard and John Glenn to Neil Armstrong, ''Buzz'' Aldrin, and Michael Collins, Americans have broken technological barriers and risked their lives in the quest to push the boundaries of gravity, human endurance, and space.

By dedicating themselves to pushing the boundaries of discovery at great personal risk, the three men of Apollo 11, along with the thousands of men and woman who supported them on the ground, cemented our nation's leadership in science and technology and paved the way for future accomplishments in space. It is only fitting as our nation plans to return to the moon that we honor their great accomplishments today.

I would also like to remind my colleagues and all Americans that our achievements in space have led to numerous advancements on Earth. Many discoveries and innovations, including water filtration, improvements in solar energy, and advanced flight simulation training, improve our everyday lives, and it is vital that we strongly support our human spaceflight program so that we can continue to inspire, invent, and achieve over the next 40 years and beyond.

I thank my friend Mr. HALL, a great supporter of NASA, for introducing this resolution and urge my colleagues to join us in honoring this historic occasion.

Mr. HALL of Texas. Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. LUJÁN) that the House suspend the rules and agree to the resolution, H. Res. 607.

The question was taken.

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

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

The yeas and nays were ordered.

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

AUTHORIZING NATIONAL ENVIRONMENTAL RESEARCH PARKS

Mr. LUJÁN. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 2729) to authorize the designation of National Environmental Research Parks by the Secretary of Energy, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2729

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

SECTION 1. FINDINGS.

Congress finds the following:

(1) The National Environmental Research Parks are unique outdoor laboratories that provide opportunities for environmental studies on protected lands around Department of Energy facilities.

(2) In 1972, the Atomic Energy Commission established its first official environmental research park at the Savannah River site in South Carolina.

(3) In 1976, the Department of Energy defined the mission for the research parks in accordance with the recommendations of the multiagency review team for environmental research activities at the Savannah River site.

(4) The mission of the research parks is to—

(A) conduct research and education activities to assess and document environmental effects associated with energy and weapons use;

(B) explore methods for eliminating or minimizing adverse effects of energy development and nuclear materials on the environment;

(C) train people in ecological and environmental sciences; and

(D) educate the public.

(5) The National Environmental Research Parks are located within six major ecological regions of the United States, covering more than half of the Nation.

(6) The parks are especially valuable research sites because within their borders they provide secure settings for scientists to conduct long-term research on a broad range of subjects including—

(A) plant succession;

(B) biomass production;

(C) population ecology;

(D) radioecology;

(E) ecological restoration; and

(F) thermal effects on freshwater ecosystems.

(7) The parks maintain several long-term data sets that are available nowhere else in the United States or in the world on amphibian populations, bird populations, and soil moisture and plant water stress. These data sets are uniquely valuable for the detection of long-term shifts in climate.

(8) The maintenance of these parks by the Department of Energy is consistent with statutory obligations to promote sound environmental stewardship of Federal lands and to safeguard sites containing cultural and archeological resources.

(9) Public education and outreach activities carried out on these sites provide unique learning opportunities, promote a stronger connection between these Federal facilities and the surrounding communities, and enhance public confidence that the Department of Energy is fulfilling its environmental stewardship responsibilities.

SEC. 2. NATIONAL ENVIRONMENTAL RESEARCH PARKS.

(a) DESIGNATION.—The Secretary of Energy shall designate the six National Environmental Research Parks located on Department of Energy sites as protected outdoor research reserves for the purposes of conducting long-term environmental research on the impacts of human activities on the natural environment. The six National Environmental Research Parks shall include—

(1) the Savannah River National Environmental Research Park;

(2) the Idaho National Environmental Research Park;

(3) the Los Alamos National Environmental Research Park;

(4) the Fermi Lab National Environmental Research Park;

(5) the Oak Ridge National Environmental Research Park; and

(6) the Nevada National Environmental Research Park.

(b) PURPOSES.—Each site shall support—

(1) environmental research and monitoring activities to characterize and monitor present and future site conditions, and serve as control areas for comparison with environmental impacts of Department of Energy land management, energy technology development, remediation, and other site activities outside the National Environmental Research Park areas. Areas of research and monitoring on the sites may include—

(A) ecology of the site and the region;

(B) population biology and ecology;

(C) radioecology;

(D) effects of climate variability and change on ecosystems;

(E) ecosystem science;

(F) pollution fate and transport research;

(G) surface and groundwater modeling; and

(H) environmental impacts of development and use of energy generation technologies, including renewable energy technologies; and

(2) public education and outreach activities consistent with subsection (d).

(c) COOPERATIVE AGREEMENT.—To ensure the independence of the research, monitoring, public education, and outreach activities conducted on each site, the Secretary shall enter into a cooperative agreement with a university, community college, or consortium of institutions of higher education with expertise in ecology and environmental science of the region in which the National Environmental Research Park is located.

(d) ENVIRONMENTAL EDUCATION AND OUTREACH.—Each site shall support an outreach program to inform the public of the diverse ecological activities conducted at the park and to educate students at various levels in environmental science. Program activities may include—

(1) on-site and in-classroom education programs for elementary and secondary students;

(2) presentations to school, civic, and professional groups;

(3) exhibits at local and regional events;

(4) development of educational projects and materials for students at all levels;

(5) undergraduate and community college internships and graduate research opportunities; and

(6) regularly scheduled public tours.

(e) COORDINATION.—The Secretary of Energy shall designate a National Environmental Research Park Coordinator within the Department of Energy Office of Science. The Coordinator shall—

(1) coordinate research activities among the National Environmental Research Parks as appropriate;

(2) ensure that information on best practices for research, education, and outreach activities is shared among the sites; and

(3) serve as liaison to other Federal agencies to facilitate collaborative work at the Parks.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Energy, acting through the Director of the Office of Science, for carrying out this section $30,000,000, including $5,000,000 for each National Environmental Research Park, for each of the fiscal years 2010 through 2014.

SEC. 3. SAVINGS.

Nothing in this Act shall be construed to limit the activities that the Federal Government may carry out or authorize on a site on which a National Environmental Research Park is located.

SEC. 4. SUMMER INSTITUTES PROGRAM.

The National Environmental Research Parks may be utilized to provide educational opportunities through the Summer Institutes program authorized in section 3185 of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381n).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. LUJÁN) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

GENERAL LEAVE

Mr. LUJÁN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 2729, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I'm pleased that today the House will consider H.R. 2729, a bill that will formally authorize the National Environmental Research Parks at Department of Energy sites across the country, including one in my district at Los Alamos National Laboratory. Los Alamos National Laboratory includes a landscape of canyons, mesas and mountains, and the Rio Grande, providing a diverse range of ecosystems to explore.

The Los Alamos Park conducts ongoing environmental studies on everything from containment transport to woodland productivity to long-term climate change effects on the land. These parks have been a critical resource to the national and the global environmental research community for decades, yet they have never had a clearly defined source of support in the department before. This bill finally addresses this issue and provides important guidance for research, development, education and outreach on the parks.

H.R. 2729 was developed through a collaborative process that took into account comments and concerns from each of the DOE sites, as well as helpful input and amendments from both minority and majority Members. I'm happy to present a bill with bipartisan cosponsorship, and I look forward to working with our Senate colleagues to send this to the President's desk as soon as possible.

I reserve the balance of my time.

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

I rise today in support of H.R. 2729 to authorize the designation of National Environmental Research Parks by the Secretary of Energy, and for other purposes.

H.R. 2729, introduced by the gentleman from New Mexico (Mr. LUJÁN), authorizes six existing parks that are located within major eco-regions of the United States. These eco-regions cover more than half of the Nation. In some cases the research parks are the only ecological sanctuaries in the entire region. The parks provide secure settings for scientists to conduct research on a broad range of subjects, such as plant succession, biomass production, environmental behavior of radionuclides, cost and effectiveness of revegetation of disturbed lands, and thermal effects on freshwater ecosystems. The parks also provide rich environments for training researchers and introducing the public to ecological sciences.

The parks have been around in concept since 1969 and in reality, actually, since 1972, when the Atomic Energy Commission, the predecessor to the Department of Energy, established its first research park at the Savannah River site in South Carolina.

Under this bill, the Parks will continue to serve their intended purpose, but will now be able to do so under their own authorization.

Mr. Speaker, I thank Mr. LUJÁN for his work on this bill, and also the work of his staff.

Mr. HASTINGS of Washington. Mr. Speaker, the nuclear weapons production program at Hanford played a critical role in our nation's defense for decades—securing victories in World War II and the Cold War. Today, the 586–square-mile Hanford Site, which is located in the congressional district that I represent and in the community that I've called home for over 50 years, is undergoing the largest and most complex nuclear waste cleanup effort in the world.

While nuclear cleanup will continue at Hanford for decades, the local community is already looking towards life post-cleanup and is actively engaged in discussing its future and economy once this massive undertaking is completed. Clearly, the possible beneficial use of portions of land on this massive site to diversify the economy and ensure a robust post-cleanup future are options that must be open and available. As just one possible example, consideration is being given by the Department of Energy and local communities to proposals to use a piece of Hanford lands for an Energy Park. Other ideas on how to use these suitable lands include nuclear activities such as medical isotope production and uranium enrichment for fuel rod production that would power nuclear energy reactors.

At a time when decisions about future uses of lands on the Hanford Site have yet to be made, it is critical that this Congress and the federal government maintain flexibility in order to keep all options on the table—and not enact legislation that could complicate or prohibit future activities, thereby preempting the very conversations that are underway today.

Mr. Speaker, as originally introduced, H.R. 2729 would have designated the Hanford Site and surrounding lands as a permanent protected National Environmental Research Park, or NERP.

While I believe it appropriate for portions of the Hanford Site to conduct activities consistent with the NERP mission, I have very serious concerns about rushing through permanent decisions on Hanford lands via legislation that was introduced last month with zero input from either the Tri-Cities community or their elected Representative.

That's why I have been working with the Science Committee on trying to identify and agree on ways to modify and improve the bill to fully protect the unique and complex Hanford site. My overriding goal in pursuing modifications was to avoid serious unintended consequences that could very well result from H.R. 2729, including the creation of yet another overlapping land use management authority at Hanford and the permanent lockdown of future land use decisions.

I have made several suggestions to the Committee including language to: (1) enable the Secretary of Energy to modify the boundaries of the NERP, (2) exclude privately-owned lands and state lands, (3) ensure that nothing in the bill will restrict, limit or condition the ability of the Department to lease, convey or transfer lands, (4) ensure that no new land use or regulatory authority is created, (5) clearly state that this new law could not be used to launch lawsuits, and (6) to make certain that the NERP authorization is aimed at the intent of facilitating long-term research and promoting education outreach, rather than the establishment of a restrictive land use designation that could block or stifle future decisions. I support the stated intent of this legislation's authors and proponents to encourage research and education, but I fear that the language of the bill as written could be interpreted to cause real harm to the future of Hanford and the local community.

I very much appreciate the consideration of Ranking Member HALL, and the willingness of Chairman GORDON, Subcommittee Chairman BAIRD and Representative LUJÁN to listen and discuss my concerns over the past week. In the end, clarifying language that I felt was necessary to protect the interests of those I was elected to represent was not agreeable to the Committee, and they instead chose to remove Hanford from the bill altogether.

While I believe we all would have preferred an outcome that was acceptable to all Members, which did not prove possible in the past week, and the removal of Hanford from the bill is an appropriate course of action.

It took many years for the federal government to produce the massive volumes of nuclear waste at Hanford, and it will take many more years to complete the cleanup of these wastes. There is absolutely no reason to rush through legislation that could make cleanup at Hanford more difficult or take away the flexibility to make decisions on the future of the Site and the surrounding communities.

Mr. HALL of Texas. Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. LUJÁN) that the House suspend the rules and pass the bill, H.R. 2729, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

PROVIDING FOR NATURAL GAS VEHICLE RESEARCH AND DEVELOPMENT

Mr. LUJÁN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1622) to provide for a program of research, development, and demonstration on natural gas vehicles, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1622

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

SECTION 1. NATURAL GAS VEHICLE RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROJECTS.

(a) IN GENERAL.—The Secretary of Energy shall conduct a 5-year program of natural gas vehicle research, development, and demonstration. The Secretary shall coordinate with the Administrator of the Environmental Protection Agency, as necessary.

(b) PURPOSE.—The program under this section shall focus on—

(1) the continued improvement and development of new, cleaner, more efficient light-duty, medium-duty, and heavy-duty natural gas vehicle engines;

(2) the integration of those engines into light-duty, medium-duty, and heavy-duty natural gas vehicles for onroad and offroad applications;

(3) expanding product availability by ensuring that technologies researched and developed assist engines and vehicles in meeting Federal and State requirements and standards;

(4) the demonstration and proper operation and use of the vehicles described in paragraph (2) under all operating conditions;

(5) the development and improvement of nationally recognized codes and standards for the continued safe operation of natural gas vehicles and their components;

(6) improvement in the reliability and efficiency of natural gas fueling station infrastructure;

(7) the certification of natural gas fueling station infrastructure to nationally recognized and industry safety standards;

(8) the improvement in the reliability and efficiency of onboard natural gas fuel storage systems;

(9) the development of new natural gas fuel storage materials;

(10) the certification of onboard natural gas fuel storage systems to nationally recognized and industry safety standards;

(11) the use of natural gas engines in hybrid vehicles; and

(12) researching and developing technologies and processes so as to improve and streamline the process by which natural gas conversion systems meet Federal and State requirements and standards.

(c) COOPERATION AND COORDINATION WITH INDUSTRY.—In developing and carrying out the program under this section, the Secretary shall coordinate with the natural gas vehicle industry to ensure cooperation between the public and the private sector.

(d) CONDUCT OF PROGRAM.—The program under this section shall be conducted in accordance with sections 3001 and 3002 of the Energy Policy Act of 1992.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall provide a report to Congress on the implementation of this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary $30,000,000 for each of the fiscal years 2010 through 2014 to carry out this section.

(g) DEFINITION.—For purposes of this section, the term ''natural gas'' means compressed natural gas, liquefied natural gas, biomethane, and mixtures of hydrogen and methane or natural gas.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. LUJÁN) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

GENERAL LEAVE

Mr. LUJÁN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 1622, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico (Mr. LUJÁN).

There was no objection.

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

H.R. 1622 was introduced by Mr. SULLIVAN of Oklahoma and cosponsored by myself, my friends from Texas, Mr. HALL and Mr. GREEN, my colleague from Oklahoma (Mr. BOREN) and a number of other Members that recognize the potential of natural gas as an alternative transportation fuel.

This bill reauthorizes the Department of Energy's research, development and demonstration program in natural gas powered vehicles and related infrastructure. The vehicle fleet of the future will include a diverse range of fuels and vehicle technologies.

Since it is both cleaner than petroleum and domestically available, natural gas will play an important role in a more sustainable transportation sector. Moreover, the estimated domestic reserves continue to grow, indicating that natural gas could play a long-term role in helping to alleviate our dependence on foreign oil.

I support H.R. 1622 and urge its passage.

I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I rise today in support of H.R. 1622 to provide for a program of research, development and demonstration on natural gas vehicles. I thank my good friend, Congressman JOHN SULLIVAN from Oklahoma, for introducing this bill, and I'm very proud to be a cosponsor.

H.R. 1622 authorizes the U.S. Department of Energy to fund natural gas vehicle research, development and demonstration needs on natural gas vehicles to make them even cleaner, even more efficient, and ease their widespread integration into our current transportation system.

Approximately 98 percent of the natural gas we use in America comes from the United States and Canada, and the Energy Information Agency forecasts that, by 2030, over 98 percent of the natural gas used in America will come from the U.S. alone. Because of recent advancements in technology, the economically recoverable U.S. natural gas resource base has nearly doubled in just the last few years. A recent study concludes that we now have 118 years of natural gas resources right here in America. Doesn't it makes sense that we should be using this abundant, domestic resource to help fuel our transportation needs?

Renewable natural gas can also be produced from any organic waste or energy crop such as switchgrass. It has been conservatively estimated that America could produce 1.2 quadrillion Btus of renewable natural gas, also called biomethane. That is the equivalent of 10 billion gallons of gasoline. And if making biomethane from cellulosic energy crops is considered, the potential is just almost limitless.

Natural gas is affordable, it has an existing distribution infrastructure, it is a proven vehicle fuel, and it is clean.

I urge my colleagues to support this bill that will help increase our energy independence by serving to increase the amount of vehicles on our roads that run on domestic natural gas.

With that, I reserve the balance of my time.

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

Mr. HALL of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. SULLIVAN).

Mr. SULLIVAN. Mr. Speaker, I rise in support of H.R. 1622, my legislation to reauthorize the natural gas vehicles research, development, demonstration and deployment program within the Department of Energy for 5 years.

I would like to thank Ranking Member HALL and Chairman GORDON and also my colleague from Oklahoma, DAN BOREN, for bringing this important legislation to the floor today.

Natural gas is the bridge fuel for decreasing our dependence on foreign sources of oil and putting our Nation on a path to energy security. It is critical that we make a strong effort to incorporate more natural gas vehicles into our transportation fleet. There are more than 150,000 natural gas vehicles on the U.S. roads today and over 10 million world wide. Increased U.S. natural gas vehicle research, development, demonstration and deployment will only increase these numbers if we make the proper investments as my bill does.

Natural gas vehicles are an important part of our national transportation infrastructure. In 2008 alone, natural gas vehicles displaced almost 300 million gallons of petroleum in the United States. In fact, nearly one in five new transit buses on order today is specified to be natural gas powered, proof that we are moving in the right direction.

We also have a proven reserve of natural gas right here in the United States. We have enough known natural gas reserves to last more than a century. As a matter of fact, 98 percent of the natural gas we consume is produced right here in North America. Natural gas is American-made energy.

In addition to our vast supply, we already have a way to get natural gas to the consumer with over 1.5 million miles of natural gas pipeline distribution across the United States. Natural gas vehicles are also better for the environment. Greenhouse gas emissions from natural gas are 23 percent lower than diesel and 30 percent lower than gasoline. Natural gas vehicles also produce virtually no particulate matter or emissions.

To meet our Nation's energy needs, we must continue to develop alternative and renewable sources of energy. However, we can't shoot the horse we are on until we find a new horse. Natural gas is the bridge fuel for decreasing our dependence on foreign sources of oil and putting our Nation on a path to energy security.

I encourage passage of H.R. 1622 today.

□ 1430

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

Mr. HALL of Texas. Mr. Speaker, I yield 3 minutes to Mr. OLSON, the gentleman from Texas.

Mr. OLSON. Mr. Speaker, I'd like to thank my ranking member and friend from Texas for yielding me time to express my support for H. Res. 607, the 40th anniversary of the Apollo 11 Moon landing.

Like all members of my generation, I remember very well where I was when Neil Armstrong stepped out of the Eagle and into history. But today, as we look back, I offer this question: Where will we be when those next steps are taken on the Moon? For millions of Americans, those steps will be their first chance to witness history.

It is right and fitting that we take this time to honor the men and women of Apollo 11. And I say men and women, because although three brave men were willing to strap themselves on top of a Saturn V rocket, it took the support of thousands of men and women to make their success.

For some, there are questions about why even go back to the Moon? It's true we can't replace Apollo, but we should try. And I don't mean simply at NASA.

First, it boggles the mind that those Apollo journeys, which should have been the beginning of lunar exploration, were the end of them. Budget cuts forced the cancellation of Apollo 18, 19 and 20, and we've been endorsing those cuts ever since.

NASA is on a path to return to the Moon and on to Mars and beyond, but

we need the support, both here in Congress and among the general public, for these worthy goals. By exploring, we create jobs, we inspire our youth to go into math and science fields, and we ensure that the aerospace industry, which is currently American-centered and American-dominated, remains that way.

But the lessons of Apollo should not be limited to NASA. It has become cliche for politicians to reference Apollo when talking about our need to create domestic alternatives to solve our energy solutions.

Our Nation wants to rally around a worthy goal, to achieve great things. This is what Apollo showed us, and we should look to that in this Chamber as we debate the issues of the day that will impact the generations to come.

Apollo won't be replicated, because you can't replicate Neil Armstrong, Buzz Aldrin and Mike Collins. They've become icons in American culture, exhibiting those uniquely American traits: boldness, courageousness, excellence. They, as individuals, were the finest in their fields. But as a crew, and as an extension of the NASA family that made Apollo such a success, and as representatives of this great Nation that sent them forth through the heavens, they became heroes worthy of the praise that will be offered over the next few days.

May the example they set as individuals drive us personally. May the success of the lessons of the Apollo program guide us selectively, and may the knowledge of what they achieved as a Nation inspire us to do bold things going forward.

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

Mr. HALL of Texas. Mr. Speaker, I yield to the Congressman from Georgia, Dr. BROUN, the balance of our time.

Mr. BROUN of Georgia. Mr. Speaker, as we discuss this bill about natural gas, I think we need to look much beyond that one issue. Republicans have introduced legislation called the American Energy Act. It's an all-of-the-above solution to our problems with dependence upon foreign oil, and, Mr. Speaker, we've got to stop that dependence upon foreign oil.

We're buying oil from countries that hate us, and they're utilizing our dollars to fight us, to kill our men and women in service. And the only way we are going to bring an end to that is to not only look to natural gas, but to look to nuclear energy, look to alternative sources of energy, look to things such as wind, solar, biomass. We need to find ways of having clean coal technology. I know a lot of people find that to be an oxymoron, but, in actuality, there is technology today that will lead to clean coal technology.

Mr. Speaker, we have to be good stewards of our environment. That tax-and-trade bill—some call it cap-and-trade. I call it tax-and-trade or cap-and-tax because it is about revenue—that's not going to do anything about our environment. All it's going to do is create more revenue for the Federal Government to pay for this ObamaCare plan that we are going to be debating in committees here in the House this week and possibly voting before we leave for the August break.

But, Mr. Speaker, America is suffering. We're suffering from high energy costs. Certainly, the gasoline prices have been lowered from $4, as it was not many months ago. Just recently I saw gas, as I drove to the airport this morning in Walnut Grove, Georgia, was $2.169, but that's still too high, and we're headed higher in the near future.

Mr. Speaker, it's extremely difficult for Georgia Power to get the permitting for the two new reactors that they want to put at plant Vogtle, just south of my district, just south of Augusta, Georgia. It's extremely difficult for people to do the research and development to look for alternative sources of fuel. Natural gas is being shut out as a means of powering our vehicles, powering many things that it could power.

Mr. Speaker, we need an all-of-the-above energy plan. I hope that the U.S. Senate will defeat the tax-and-trade bill that we passed here because it will be disastrous. It will raise the costs of all goods and services here in America. It will raise the cost of health care, medicines in the drug store, doctor bills, hospital bills. It will raise the cost of food. It will cost every single individual in this country more money, and I hope the American people will stand up and say ''no'' to the tax-and-trade bill that this House passed and that the Senate is considering, will consider this fall. I hope they'll stand up and say ''no'' to ObamaCare, which will increase the time it takes for people to get x rays and surgeries and the necessary medical evaluation and treatment that they need. Thus, people who have cancer will be denied the life-saving drugs that they so desperately need or the surgery that they need.

Mr. Speaker, we're heading down the wrong road in this country. This House is taking this country down the wrong road of higher deficits.

And I hear people on the other side blame President Bush for the deficits he's created, but President Bush's deficits are piker levels compared to the deficits that have been created by this Congress since this administration took over 6 months ago. This President has presented a budget that was passed by this House that will create more debt in the next 5 years than every President, including George Bush, from George W. Bush all the way back to George Washington, more deficit, more debt than has been created by every single President.

We cannot continue to spend our grandchildren's future. Our grandchildren are going to live at a lower standard of living than we do today because of this tremendous debt that we've created.

Mr. Speaker, it has to stop, and I hope the American people rise up and say ''no'' to ObamaCare. I hope they will stand up and say ''no'' to this tax-and-trade, tax-and-cap bill that the Senate's considering. I hope they will say ''no'' to a new stimulus package, nonstimulus bill that the President talks about that he wants to bring forward.

Mr. Speaker, we've got to stop spending the money of our children's future. It has to stop. It's outrageous, and the American people need to understand that they are the key to rising up and telling their Member of Congress in the House and the Senate ''no.'' ''No'' to cap-and-trade, ''no'' to ObamaCare, ''no'' to any more stimulus, ''no'' to any more Wall Street bailout, ''no'' to taking over any more financial institutions, ''no'' to spend, spend, spend.

Mr. Speaker, we cannot tax and spend our way to prosperity. It never has worked. It was tried during the Great Depression, and it didn't work then. It's not going to work today. We seem to have elitists that think that they can do it better, but socialism never has worked, never will work, and it's time for the American people to stand up and say ''no'' to it.

Mr. Speaker, we need to have natural gas as an alternative source of fuel for our automobiles and buses and trucks. We need to have all these energy sources. We need the American Energy Act passed into law. We need to cut taxes on small business and leave dollars in their pockets so that they can create jobs, so they can buy inventory, so we can get our economy back on track.

Mr. Speaker, the Republicans are charged by the Democratic folks on the other side of being the Party of No, but it's actually the Democratic Party that's been the Party of No. We are, as Republicans, the Party of K-N-O-W. We know how to stimulate the economy. We know how to lower the cost of health care. We know how to fix the problem that we have with energy.

And, Mr. Speaker, it's time for the American people to stand up and say ''no'' to this steamroller of socialism being driven by NANCY PELOSI and HARRY REID, fueled by Barack Obama, and say ''yes'' to the Republican alternatives that we desperately need, as a Nation, to fix the economy, to lower the cost of health care for all Americans, to get people back to work, and stop this killing jobs and killing our economy.

So the American people, Mr. Speaker, need to stand up and say ''no'' to the Democratic plan and ''yes'' to the Republican plan.

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

Mr. HALL of Texas. Mr. Speaker, I have no other speakers. I yield back the balance of my time.

Mr. LUJÁN. Mr. Speaker, as we look to see how we can truly work together in the Chamber, I think that the legislation before us, H.R. 1622, directly addresses some of our concerns when it

comes to energy in our great Nation. H.R. 1622 is a bipartisan piece of legislation that looks to see how we can come together and work together to be able to alleviate our dependence on foreign oil.

And, Mr. Speaker, I certainly agree with my colleague that we have to look to diversity when it comes to energy, that we have to be good stewards of the environment, and that's why I stood up proudly to support the American Clean Energy and Security Act.

We talk about what we have to do to invest in our future, Mr. Speaker, and as we look out to future generations and how we as a Nation have to come together, how our leaders have to come together, how we have to work anywhere that we possibly can to be able to address these deep concerns, it's with honor that I come before you, Mr. Speaker, to be able to work on these issues as a new Member of Congress, as a Member of Congress that's ready to work, and as a Member of Congress that's ready to look at new ideas where we can come together.

H.R. 1622 is the continuation of a good idea on how we can continue to eliminate our dependence on foreign oil.

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

The SPEAKER pro tempore (Mr. SALAZAR). The question is on the motion offered by the gentleman from New Mexico (Mr. LUJÁN) that the House suspend the rules and pass the bill, H.R. 1622, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1445

SUPPORTING NATIONAL DAIRY MONTH

Mr. SCOTT of Georgia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 507) supporting the goals of National Dairy Month, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 507

Whereas, since 1939, June has been celebrated as National Dairy Month;

Whereas there are nearly 70,000 dairy farms throughout the United States, and approximately 99 percent of these farms are family owned;

Whereas the dairy industry in the United States produces more than 170 billion pounds of milk annually and contributes tens of billions of dollars to the economy;

Whereas dairy products are an important source of calcium and have been long recognized as an integral part of a healthy diet for both children and adults;

Whereas dairy farmers are significant contributors to efforts to preserve farmland and the rural character of communities across the country; and

Whereas the dairy industry has been challenged in recent months due to high production costs and low retail prices, which has forced many farms to close: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals of National Dairy Month;

(2) encourages States and local governments to observe National Dairy Month with appropriate activities and events that promote the dairy industry;

(3) recognizes the important role that the dairy industry has played in the economic and nutritional well being of Americans;

(4) commends dairy farmers for their continued hard work and commitment to the United States economy and to the preservation of open space; and

(5) encourages all Americans to show their continued support for the dairy industry and dairy farmers.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. SCOTT of Georgia. I yield myself such time as I may consume.

Mr. Speaker, it is timely that the House considers this resolution, this very important resolution, in support of the goals of National Dairy Month today because our Nation's dairy farmers are providing healthy, nutritious milk and dairy products to millions of American families, even as the families of dairy farmers are facing very tough economic times, very challenging times, Mr. Speaker.

The U.S. dairy industry is an important contributor to our Nation's agriculture economy. The United States leads the world in cows' milk production, accounting for more than $284 million in farm receipts in 2007. Dairy farmers across the country are producing the milk and dairy products that we give to our children and to our grandchildren, knowing that they are getting the nutrients that they need for strong bones and for growing bodies.

Mr. Speaker, unfortunately, our Nation's dairy farmers are feeling the severe pain of very difficult and trying economic times that they're experiencing right now. We are committed to doing everything we possibly can to help our dairy farmers through this very challenging time as quickly as we can. Dairy prices remain at historically low levels, and many farmers cannot even get the credit that they need to stay in business. We must help our dairy farmers.

As chairman of the Subcommittee on Livestock, Dairy, and Poultry and food security, I have scheduled the second in a series of three hearings this week to take a very thorough look at the difficult economic conditions facing the dairy industry and to look at the options that we have to help our Nation's dairy farmers. Help them we must, and help them we will to weather these financial difficulties until the economy can recover. We must get our dairy farmers back on their feet where they rightfully belong.

Mr. Speaker, I urge the passage of this resolution that will, in some small way, give due recognition to the hard work and to the sacrifices of our Nation's dairy farmers. It will also highlight the importance of dairy products and healthy and balanced diets for the American people and for the people of the world.

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

Mr. THOMPSON of Pennsylvania. I rise in support of H. Res. 507, a resolution supporting the goals of National Dairy Month, and I yield myself such time as I may consume.

Mr. Speaker, for the past 70 years, we have celebrated the month of June as National Dairy Month. While there have been some years during this time where dairymen have had cause for celebration, I think we would be hard pressed this year to find a dairyman who is in much of a mood for celebration.

As dairy prices started to rise in 2007, reaching record levels by June of last year, prices started to decline this past September and October, ultimately reaching a devastatingly low price by February. While there has been some slight rebounding in prices, dairymen across the country are still suffering from extremely low prices received in the marketplace and from extremely high prices for inputs, such as feed and fuel. In fact, while the average uniform price in the Northeast Federal milk marketing order for June of 2009 is $11.93 per hundredweight of milk, the USDA estimates that it costs dairymen in my home State of Pennsylvania $27.15 per hundredweight of milk just to produce it.

Mr. Speaker, I recognize that the adoption of this resolution is a bit late this year, but as we honor National Dairy Month for the 70th consecutive year, I ask all of my colleagues to consider the actions we take here in this Capitol Building and how these actions reflect on the small family farming businesses around the country.

Farmers do their best in keeping us well fed and in keeping us clothed and in keeping us housed, and we can, at the very least, consider the financial burdens that we place on these men and women when we contemplate legislation that would dramatically increase their costs of production.

I want to thank my good friend from Georgia for the hearing that he held last week and for the two hearings that we are going to conduct on behalf of the dairy industry. I really appreciate that. I know the dairy farmers of Pennsylvania's Fifth Congressional District appreciate that as well, and I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. SCOTT of Georgia. Mr. Speaker, I now yield as much time as he may need to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I want to thank Chairman SCOTT for bringing this resolution, which I sponsored along with 70 other Members, and for bringing it to the floor. His leadership with the farm bill last year that extended the milk subsidy program, which was probably the number one priority of dairy farmers, was critical in terms of trying to keep farms afloat that are hanging on by a thread.

Also, he changed the system of the milk subsidy program to include input costs into the formula for the first time, which, again, is a critical benefit for folks going through a very challenging and difficult time, as the chairman described it and as Mr. THOMPSON described it.

Usually, Mr. Speaker, these types of resolutions—let's face it—are kind of fluffy. They're here to kind of put the spotlight on a product or on a segment of the economy. Everybody kind of gets up and does a little boosterism for, maybe, their regions of the country; a voice vote is taken, and it's probably forgotten pretty quickly. This year, there is an urgency surrounding the crisis that exists in dairy all across America that, I think, makes this resolution, which is an opportunity to put the spotlight on the challenges that dairy farmers are facing, important for all of us in the Congress and certainly for all of us in the country.

As has been said earlier, we have seen a collapse of dairy prices over the last year. Back in June 2008 when the farm bill passed, the price per hundredweight across America was, roughly, $20. Today, that has literally fallen in half. Exports have fallen by 57 percent, which many experts believe is one of the reasons prices have reached a level where sustainable economics exists for dairy farmers across the country. That export market, along with the world recession, has made it impossible for the normal market forces to keep prices at a level at which farms can sustain their overhead and their input costs.

In the Northeast, particularly in New England, we are seeing the effects of this drastic, dramatic collapse. Ten percent of farms in Connecticut, particularly in eastern Connecticut, which I represent, have gone out of business, and that number has been reflected in other parts of New England. The one thing about a dairy farm going out of business is it's not like an up-and-down cycle. When they go out, they go out for good, and you lose a characteristic of a State's look and its economy that you can never recover again.

That is why it is so important for Chairman SCOTT to be holding the hearings that he is holding with the Agriculture Committee, to make sure that we do everything we possibly can in this emergency right now to provide immediate support and relief. The ideas are out there in terms of whether or not we need an emergency boost to the milk subsidy program and in terms of whether or not we need to have the Department of Agriculture use its administrative powers to raise the base price for dairy.

It is imperative, again, that we pass this resolution, but that we also do everything we can as a Congress to keep the pressure on. Recently, I was home in Connecticut, and I and Congresswoman DELAURO, the chairwoman of the Subcommittee on Agriculture in Appropriations, met with a number of farms, Greenbacker Farms, Cushman Farms. These are farms that go back literally to the colonial days of our country which are now facing a death spiral in terms of having to borrow to pay operating costs just to keep the bills paid and their workforces going to work every day and with paychecks.

If we do not intervene, we are going to lose a part of our economy that we can really never recover again. There is a bumper sticker out there that some of you may have seen and that some of you may have on your cars, like I do on my car, which says, ''No farms, no food.''

At some point, we, as a Nation, have to recognize that if we do not come up with agriculture policies that allow for sustainable farms in our country, then we are going to lose, not just those wonderful families and parts of our economy, but also critical parts of our food supply. You only have to look at recent events, in terms of the damage that has been done to American citizens from unsafe food imported into this country, to know the stakes could not be higher.

So I applaud the chairman for bringing out this committee. I appreciate the bipartisan support for this resolution. Obviously, it's a resolution which deserves our support, but we need to follow up on it with real acts and with real action by the Congress to make sure that we deal with this emergency crisis that exists here today. I hope the strong support that we're going to see around this resolution will be reflected in those efforts.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

Mr. SCOTT of Georgia. Mr. Speaker, the gentleman from Connecticut just spoke. He has been putting in a tremendous amount of energy in coming before our committee and in giving us expert testimony as he did last week.

I just want to commend you, Mr. COURTNEY, on what you are doing. Your constituents are certainly prouder than ever. I join with you in making sure that we adequately respond to the pressing needs.

Now, Mr. Speaker, I would like to yield to another distinguished gentleman, the gentleman from Vermont (Mr. WELCH) as much time as he may consume. He is one of my colleagues who also came before our committee and who has been putting in tireless hours on this great, great crisis in our dairy industry that we are facing.

Mr. WELCH. Thank you, Mr. Chairman. Thank you, Mr. THOMPSON. It is a pleasure to work with you on this important legislation, on this important resolution.

Mr. Speaker, as my friend and colleague from Connecticut (Mr. COURTNEY) said, our dairy farms face a crisis they've never ever seen. The crisis they face is not of their own making. Farmers have to live with the uncertainty of nature. They have to live with the uncertainty of a collapse of an export market. That's what happened when there was the melamine scare in China. They have to live with the uncertainty of an economy where prices in the purchasing of cheese in secondary, non-fluid milk products have come down with the recession. Yet the importance of our having local agricultural activities in all of our districts has never been more important.

People want and need local agriculture. In my State, it's dairy. That's the backbone of our agricultural industry. In your State, it may be wheat; it may be potatoes. In States across the country where there is local agriculture, it serves not just the needs of our farmers who make a very good, a very decent and a very honest living from working the land; it serves the health needs of our citizens.

It serves the environmental needs of our countryside. The farmers are the custodians of our landscape. That's certainly true in Vermont, which is to the benefit of all of us. It is certainly to the benefit of our tourism industry.

Mr. Speaker, the crisis that the farmers face right now, particularly in dairy, where there's that disparity between what it costs them to produce milk and what they're being paid, is not survivable unless we do two things:

One, provide short-term relief. We must find a way to increase the milk support payments on a temporary basis to help them get through the fall. If we fail to do that, they will fail themselves, and that would be a tragedy, because these farms, once gone, are gone forever and, with it, the environmental values, the land values, and the benefit to all of us to have local food production.

The average distance of farm to table for food products that we eat is about 1,500 miles. Think about the energy consumption that we're wasting and what we can preserve if we keep production local.

The second thing we have to do is what we have known since the era of the Depression, and that is we have to have stable pricing and adjustments so that farmers can weather the ups and downs in the cycle over which they have no control.

Now, I want to remind folks of something Mr. COURTNEY said when we were before Mr. SCOTT's committee. We bailed out the financial industry with

billions and billions of dollars, and the reason was that they were too big to fail. It was not because they had been responsible and had done everything within their power to avoid the catastrophe. In fact, they caused the catastrophe.

□ 1500

Yet because they were too big to fail, in order to mitigate the impact on innocent people, the taxpayers came to the rescue.

Now, is it the case that with our farmers, they are too small to matter? What kind of Congress is it if that's the verdict that we come to when it comes to our farmers who, through no fault of their own—unlike Wall Street—who through no fault of their own find themselves in a real jam.

Mr. Speaker, we have to take extraordinary action because this is an extraordinary time, and it's deserved because these are extraordinary people. This resolution is allowing us to focus attention where it needs to be on some of the best people among us in this country—and that's our dairy farmers, the folks would work the land, day in and day out, year in and year out, generation to generation.

Mr. SCOTT of Georgia. Mr. Speaker, as we close out on this bill, I just cannot think of more appropriate words at this time than those words that were said by one of our great Founders. It might be very appropriate now as we look at the crisis facing the dairy industry. That Founder was Alexander Hamilton, Mr. Speaker. And Alexander Hamilton said these words: that the greatness of our Nation and the Federal Government of our Nation shines at its brightest at our moment of crisis.

Well, this is a crisis, Mr. Speaker. It is a very special, unique crisis that is facing a very special and beloved industry—ice cream, milk, our cheeses, our butters—our dairy farmers. All across this country from the Atlantic coast to the Pacific Ocean, from Texas to Vermont and Connecticut, there is no industry that represents the grandeur and the greatness of America as our dairy industry. And it is time for this Federal Government to do precisely what Alexander Hamilton spoke of when he said, At the time of crisis is when our Nation shines at its most brilliant. Let this Nation, let this Federal Government shine on the dairy industry now.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 507, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just considered.

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

There was no objection.

RECOGNIZING ESTABLISHMENT OF HUNTERS FOR THE HUNGRY

Mr. SCOTT of Georgia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 270) recognizing the establishment of Hunters for the Hungry programs across the United States and the contributions of those programs efforts to decrease hunger and help feed those in need.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 270

Whereas Hunters for the Hungry programs are cooperative efforts among hunters, sportsmen's associations, meat processors, State meat inspectors, and hunger relief organizations to help feed those in need;

Whereas during the past three years Hunters for the Hungry programs have brought hundreds of thousands of pounds of venison to homeless shelters, soup kitchens, and food banks;

Whereas each year donations have multiplied as Hunters for the Hungry programs continue to feed those in need; and

Whereas 45 States have a Hunters for the Hungry program: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the cooperative efforts of hunters, sportsmen's associations, meat processors, State meat inspectors, and hunger relief organizations to establish Hunters for the Hungry programs across the United States; and

(2) recognizes the contributions of Hunters for the Hungry programs to efforts to decrease hunger and help feed those in need.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. SCOTT of Georgia. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I come before the House today to encourage the passage of House Resolution 270, which recognizes the establishment of Hunters for the Hungry programs across the United States and recognizing the contributions these programs make to decrease hunger and help feed those in need.

Hunters for the Hungry is a unique and innovative program that addresses hunger in communities nationwide. All across this country, hunters can donate their game and their fowl to Hunters for the Hungry, which processes the meat and provides it to food banks and other feeding programs. This cooperative effort between hunters, processors, and the hunger community is an innovative example of how groups can work together toward a single, worthy goal: working to make sure that no American goes hungry.

When the House Agriculture Committee considered this resolution in the 110th Congress, it received unanimous support; and I strongly encourage the passage of this resolution.

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

Mr. THOMPSON of Pennsylvania. I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of House Resolution 270, which recognizes the collaborative efforts of hunters, sportsmen's associations, meat processors, State meat inspectors, and hunger relief organizations to establish Hunters for the Hungry programs across the United States. Such programs have brought hundreds of thousands of pounds for venison to homeless shelters, soup kitchens and food banks.

Since 1991, Pennsylvania's Hunters Sharing the Harvest program has provided hundreds of thousands of meals to needy Pennsylvanians. Last year, the program coordinated the delivery of nearly 200,000 meals that included venison.

Americans are generous people, and many individuals work through private organizations to donate food to help needy families. Given our economic climate, more and more people are turning to soup kitchens and food banks for food assistance, and that is where programs like Hunters for the Hungry make a valuable contribution and difference.

Great strides are being made to provide nutritious, high-quality venison to those experiencing hunger in our communities. I commend the generosity of America's hunters and all who participate in the Hunters for the Hungry program. The contributions of these individuals are a step in the right direction in the fight against hunger, and I urge my colleagues to support House Resolution 270.

I reserve the balance of my time.

Mr. SCOTT of Georgia. Mr. Speaker, I now yield 2 minutes to the distinguished gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. I again thank the chairman for bringing this resolution out.

There is probably not a more difficult and challenging enterprise to operate today than running a food bank. We're obviously in a time where our economy is extremely weak. The demand for food bank help is up and the ability of people to provide donations for food bank services are down.

In Connecticut, over 350,000 people were served in the last year by our food banks—a number that is way higher than the prior year. And as was recently reported in the New London Day, the largest paper in southeastern Connecticut, while there was a growing need for food assistance in 2008 and 2009, traditional donations are way down. There is only one area where we have seen an increase, and that is in the area of wild game that was donated by hunters who are part of this program which is being given accolades with this resolution.

In my district, hunters and constituents like Warren Speh and Bob Jean have donated more than 10,000 pounds of deer meat that was hunted at Bluff Point State Park in Groton alone as part of an effort to manage the deer population and also donated that food to the local food bank in the New London area. So they are a perfect example of what this program is about.

Again, I strongly support this resolution's effort to put the spotlight on the great work that these people are doing and urge adoption by the full membership.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I recognize my good friend from Georgia (Mr. GINGREY) for such time as he may consume.

Mr. GINGREY of Georgia. Mr. Speaker, I want to thank one of our newest and hardworking members of the Republican Conference, Mr. THOMPSON of Pennsylvania, for generously yielding me time on this resolution today.

As a member of the Congressional Sportsmen's Caucus and author of this resolution, I rise in strong support of House Resolution 270, a resolution recognizing the contribution made by Hunters for the Hungry programs across this country.

I would like to thank Chairman PETERSON, Ranking Member LUCAS, my colleague from Georgia (Mr. SCOTT) and all of my colleagues on the Agriculture Committee for bringing this resolution to the floor today in a bipartisan manner.

I also want to thank the Congressional Sportsmen's Caucus, especially co-chairs DAN BOREN and PAUL RYAN, for their support. This bipartisan organization, comprised of close to 300 Members of the House and the Senate, focuses on protecting the interests of our Nation's sportsmen. Mr. Speaker, as a proud Member of this caucus, I know that it works diligently for our sportsmen who have historically shaped the character and the quality of America's cultural heritage, natural resources, and our economic vitality.

I first introduced the Hunters for the Hungry resolution in the 108th Congress back in 2003, as well as in each subsequent Congress, to bring attention to an often overlooked group—our Nation's hunters—who feed thousands of homeless and hungry people each year. The purpose of this resolution is to praise the work of Hunters for the Hungry programs across our country. These programs provide a unique way in which to address our Nation's hunger problem.

Although these organizations are called by different names in the 45 States where they are located, Hunters for the Hungry organizations show the humanitarian and the kind-hearted spirit of our Nation's hunting community. These programs are volunteer and cooperative efforts among hunters, sportsmen's associations, meat processors, State meat inspectors and hunger relief organizations. Over the past 3 years, these programs have brought hundreds of thousands of pounds of excess venison to homeless shelters, to soup kitchens, and food banks. Each year, donations have multiplied, and many programs now cannot even cover the costs of processing, of packaging and storing, and distributing the abundant supply of donated venison.

Hunters for the Hungry organizations serve as a great example of how our Nation can address issues like hunger without government intervention. These organizations receive no Federal funding. They operate from donations and volunteer services. We must raise the awareness of these organizations so that they can have the resources and the volunteers to serve America's underprivileged.

Mr. Speaker, I am proud to say that in my home State of Georgia, over 28,000 pounds of venison was donated as a result of this program just last year, raising the overall total in the State to over 200,000 pounds since this program was initiated back in 1993. I commend the kind-hearted hunters of my State, along with those across the country, who donate their time and their money for those people in need.

Mr. Speaker, I urge my colleagues to support this resolution so the House can show its gratitude to these selfless hunters across the country to honor their great community service.

Mr. SCOTT of Georgia. Mr. Speaker, I also would like to take a moment to extend my commendations to my distinguished friend from Georgia (Mr. GINGREY) for this very worthy, worthy resolution. Thank you.

Mr. Speaker, I would like to recognize for 2 minutes my distinguished friend and colleague from the great State of Massachusetts (Mr. MCGOVERN) who has a sterling reputation for working to make sure that no American goes to bed hungry in our country.

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Mr. MCGOVERN. I want to thank my friend for yielding and for his leadership on these and so many other important issues.

I wanted to rise as well in support of the resolution by my colleague from Georgia, Mr. GINGREY. I think it's an important resolution, and I think the Hunters for the Hungry organization deserve praise for their work trying to respond to a real need in this country, and that is the issue of people who are food insecure or are hungry.

This is a problem that is getting worse in the United States of America, I am sad to say, and this is an issue that we need to talk more about on this House floor. And I appreciate and I support the efforts of hunters and a whole bunch of other volunteer organizations across the country in their efforts to respond to this crisis, and we need to do everything we can to congratulate them, express our appreciation and urge them to do more.

I would also add that I think we have a moral imperative to do more as a country and as a government to respond to this need. There are more than 36 million Americans who are food insecure or hungry. Every one of us should be ashamed of that fact, and we need to respond to this crisis, and we need to do more than we are doing now.

I'm the co-chair of the House Hunger Caucus, and we are urging all Members of Congress to take only 1 hour, at least 1 hour, out of their busy schedules during the August recess and visit a hunger relief organization, visit a food pantry, visit a food bank, and see firsthand what is happening. And what people are going to see, what my colleagues will see is not only the incredible work that is going on to help respond to this crisis, but the fact is that these food banks and these food pantries are chock full. They're at capacity. They cannot respond to the need that they are faced with.

And so as we debate other legislation down the road, I hope we will keep these people in mind, but I did want to rise to congratulate and to thank my friend Mr. GINGREY for his leadership on this issue. I think it is important that we do what we can to acknowledge the good work of people who are in the forefront of fighting on behalf of people who are food insecure and hungry, and I want to thank him.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield the balance of my time to Dr. BROUN.

Mr. BROUN of Georgia. I thank the gentleman for yielding.

Mr. Speaker, I started my political activism by being the government affairs vice president for Safari Club International, and the Safari Club has been very much engaged in trying to feed the hungry through a program called Hunters for the Hungry, and it's something that's absolutely critical for us to promote this type of idea. I congratulate my colleague, dear friend from Georgia, Dr. GINGREY, for bringing this legislation to the floor.

Mr. Speaker, hunters all over this country are willing to provide some of their deer and elk meat to feed the hungry, and I think it's a proper role for us as Members of Congress to promote this type of philosophy, of letting the private sector take care of the poor, the widows and fatherless as biblically we're charged to do. In fact, I believe very firmly that the private sector can provide for the needs of those disadvantaged in this country a whole lot better than government can.

Mr. Speaker, I just wanted to rise and speak for a minute in behalf of this bill. I fully support it. I congratulate Dr. GINGREY for bringing this important legislation, and I congratulate my other colleague from Georgia for speaking in favor of the bill and look forward to its passage and look forward to promoting other kinds of ideas, Mr. Speaker, where we can stimulate the private sector, provide for those things that are desperately needed by those that are disadvantaged around this country. They really need some help. They need some help in feeding themselves. They need some help in providing jobs, and the private sector's the best way to do that. We over and over on our side introduce legislation that would stimulate the economy, would create jobs, instead of robbing our grandchildren of their future as we see going on here in this Congress.

So, Mr. Speaker, I do rise in support of this bill, and I hope that we will pass it unanimously once it comes for a vote.

Mr. SCOTT of Georgia. Mr. Speaker, as has been mentioned by each of our speakers, we certainly applaud the Hunters for the Hungry program for the great job that they're doing, but this should serve as also a wake-up call and a challenge to more Americans, more organizations where, as the gentleman from Massachusetts pointed out with his statistics, there's so much more that we must do to reach that goal, that we have no American, no American child, no one in this country going to bed hungry at night for we are the wealthiest country in the world.

And so the Hunters for the Hungry program and H. Res. 270 presents not only an opportunity to celebrate the Hunters for the Hungry program but to accept the challenge for us to do more to make sure no American goes to bed hungry.

I yield back the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I just want to thank my colleagues for certainly supporting this legislation. It truly fulfills the spirit that builds and makes America great, where neighbors assist neighbors.

I don't believe I have any additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 270.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just considered.

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

There was no objection.

RECOGNIZING 40TH ANNIVERSARY OF THE FOOD AND NUTRITION SERVICE

Mr. SCOTT of Georgia. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 164) recognizing the 40th anniversary of the Food and Nutrition Service of the Department of Agriculture.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 164

Whereas the Food and Nutrition Service of the Department of Agriculture has been promoting sound nutrition and fighting hunger in the United States since 1969;

Whereas the Food and Nutrition Service works with State and local governments, nonprofit organizations, and faith-based organizations to provide food and nutritional support to over 36,000,000 people in the United States who live in households that face food insecurity on a daily basis;

Whereas the Food and Nutrition Service supports schools in the United States by providing children with nutritious breakfasts and lunches and promotes wellness policies to ensure that children have a healthy start in life; and

Whereas the nutrition programs of the Food and Nutrition Service reach 1 in 5 citizens of the United States on a daily basis: Now, therefore, be it

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

(1) recognizes the valuable historic and continued contribution of the Food and Nutrition Service and its employees to the citizens of the United States;

(2) commends the efforts of States, territories, local governments, and nonprofit charitable and faith-based organizations to end hunger and provide nutritious food to citizens of the United States;

(3) encourages the continued efforts to educate the citizens of the United States about the importance of eating nutritiously and living a healthy lifestyle; and

(4) recognizes and reaffirms the commitment of the United States to end hunger in the United States and continue to lead the world in ending global hunger.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

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

Mr. Speaker, it is my pleasure to pay tribute to the outstanding and important work of the USDA's Food and Nutrition Service on the occasion of its 40th anniversary by supporting H. Con. Res. 164.

Mr. Speaker, since 1969, FNS has fulfilled its mission by providing children and needy families with better access to food and a more healthful diet through its food assistance programs and comprehensive nutrition education efforts.

In this time of great economic recession, the employees of FNS have demonstrated their extraordinary commitment to public service by ably serving a record number of Americans in need through the Supplemental Nutrition Assistance Program. In recent months, nearly 35 million people have found it necessary to make use of this safety net program.

In addition, FNS serves specific sectors of our population by providing school meals; funding and commodities for food banks and soup kitchens; and specialized programs for Native Americans, the elderly, infant and children, and pregnant women.

For their exemplary efforts on behalf of Americans in need, I congratulate the employees of the Food and Nutrition Service of the United States Agriculture Department and encourage the speedy passage of H. Con. Res. 164.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise in support of House Concurrent Resolution 164 and yield myself as much time as I may consume.

Mr. Speaker, House Concurrent Resolution 164 recognizes the 40th anniversary of the Food and Nutrition Service of the U.S. Department of Agriculture. The mission of the Food and Nutrition Service is to provide children and low-income families better access to food and a more healthful diet through its food assistance programs and comprehensive nutrition education efforts.

FNS administers the most important Federal nutrition programs, such as the Supplemental Nutrition Assistance Program, formerly known as the Food Stamp Program; the School Lunch and School Breakfast Programs; the Special Supplemental Nutrition Program for Women, Infants and Children, known as the WIC program; the Emergency Food Assistance Program, which provides various commodities to our Nation's food banks; as well as other child and adult care food programs.

FNS is better able to serve our Nation's hungry because of the bounty of America's farmers and ranchers. FNS is able to use surplus commodities in their various feeding programs, thus ensuring those in need receive foods produced by the American farmer and rancher.

Many people do not realize that funding for domestic food assistance programs represents two-thirds of the USDA's budget. For fiscal year 2009, the enacted omnibus appropriations measure included $76.2 billion for the programs administered by FNS. With the economy continuing to struggle, FNS has seen a record enrollment of

33.8 million food stamp participants. Clearly, the Food and Nutrition Service, in working cooperatively with the States, has a large and important role in serving those in need.

And again, I want to recognize the 40th anniversary of USDA's Food and Nutrition Service and ask my colleagues to support this resolution.

I reserve the balance of my time.

Mr. SCOTT of Georgia. Mr. Speaker, now it is with great pleasure that I'd like to yield 6 minutes to the cochairman of the Congressional Hunger Caucus and an outstanding leader in this Congress, the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I thank the gentleman, my colleague from Georgia, for yielding me the time and for his kind words, and I also want to thank Majority Leader STENY HOYER and Chairman COLLIN PETERSON and their staff for quickly scheduling this bipartisan resolution for consideration today.

Mr. Speaker, this resolution honors the USDA's Food and Nutrition Service for 40 years of fighting hunger in the United States. There are more than 36 million food insecure or hungry people living in America today. The Food and Nutrition Service, or FNS, is the lifeline for the hungry in our country.

The mission of FNS is to provide children and needy families better access to food and a more healthful diet through its food assistance programs and comprehensive nutrition education efforts. FNS does this by administering the Food Stamp, now called SNAP, program and child nutrition programs that include the school and summer meal programs. Without these programs and without the dedicated staff at FNS, millions of people in this country would be facing hunger and malnutrition.

Their work and dedication should be commended, and I am pleased to be the lead sponsor of this resolution honoring the 40th anniversary of the Food and Nutrition Service. I am also pleased that my good friend and colleague, the gentlelady from Missouri, JO ANN EMERSON, is a cosponsor of this resolution. Unfortunately, my good friend could not be here for this debate, but she is a strong supporter of FNS.

Mr. Speaker, over the past 2 years we have seen a major expansion in our Nation's antihunger programs. SNAP has been expanded twice: first, in the farm bill, which expanded both the eligibility and the purchasing power of the program; and second, in the Recovery Act, where the SNAP program benefits were accelerated to stimulate the economy and help families better afford food during this economic downturn.

This year, we expect to see the reauthorization of the Child Nutrition Programs: WIC, the school breakfast lunch, child care, afterschool, and summer meal programs. And FNS is in the forefront of these programs.

Mr. Speaker, I'm pleased with the work FNS has done for the past 40 years, but this is also an opportunity to look to the future. And I'm encouraged by the new administration, the leadership of Secretary Vilsack and his team at USDA. They are exploring ways to fight hunger, and I'm looking forward to developing a strong working relationship with Secretary Vilsack.

And while I'm pleased that USDA and FNS have worked so hard at responsibly implementing the antihunger programs authorized in the farm bill and in the Recovery Act, I am very concerned that there hasn't been more done on President Obama's pledge to end childhood hunger in America by 2015.

□ 1530

I encourage the Secretary to use this 40th anniversary recognition to rededicate USDA not only to ending child hunger in the United States, but to start working with Members of Congress and other stakeholders on ways to improve the Federal antihunger programs.

I believe the Secretary should convene a Cabinet-level working group consisting not only of members of the administration but also congressional leaders in order to brainstorm on ways the administration and Congress can work together to combat hunger in our country. We need to show that the goal of ending child hunger by 2015 is something that this administration is committed to achieving.

I also encourage USDA and FNS to look into using their regulatory authority to make it easier for eligible families and individuals to sign up or be recertified for SNAP and other Federal antihunger programs.

In Massachusetts, we are seeing backlogs of new applications that last upwards of several weeks between submission of the application and approval or denial of that application. The issue is the increasing number of people who are becoming eligible for SNAP at the same time as current SNAP participants need to be recertified in order to continue participating in the program. The result is a backlog of cases for State administrators, causing lengthy delays that result in denial of food to hungry people.

Finally, I strongly encourage the White House to convene a conference on food and nutrition in order to bring together our Nation's leaders and stakeholders on hunger and nutrition. We need to put into place a strategy, a comprehensive strategy, to end all hunger in this country, and we need to do so while improving the availability of nutritious food. That will take Presidential leadership. I hope President Obama will convene this conference soon.

Mr. Speaker, I congratulate FNS on 40 years of great work. Once again, I thank Chairman PETERSON for his willingness to move this resolution through the process quickly. I want to thank my friend, Mr. SCOTT, for all of his leadership.

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

Mr. SCOTT of Georgia. In closing, Mr. Speaker, I could not be more eloquent than my good friend from Massachusetts, Mr. MCGOVERN, our distinguished co-Chair of the Congressional Hunger Caucus, because he spoke so well. But one salient fact that shows the significance of the Food and Nutrition Services and the work of our United States Agriculture Department in this area is the fact that when we look at child nutrition, and specifically our School Lunch Program, it has been documented in all too many cases that all too often that meal, that one meal from our School Lunch Program is the most nutrient meal that all too many of our young people receive each day. That shows the value of what the Food and Nutrition Service is doing.

We certainly commend the resolution, commend the work of Mr. MCGOVERN of Massachusetts, and our United States Agriculture Department.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today in support of the concurrent resolution to recognize the 40th anniversary of the Food and Nutrition Service of the United States Department of Agriculture. The Food and Nutrition Service has administered the Nation's nutrition assistance programs since 1969 and is the lead agency in charge of supporting the fundamental nutritional needs of children, low-income individuals, families, and communities.

Mr. Speaker, in the United States no one should face hunger, especially children. Over the past forty years, the Food and Nutrition Service has been critical to ensuring that children have access to healthful foods and nutritious meals at school, in childcare settings, and during the summer months that support their ability to succeed in and out of the classroom. The services provided by the Food and Nutrition Service encourage good nutrition and well-being that are necessary to ensure a healthy future for the country.

Through its programs, FNS actively promotes individual health and well-being for a strong and productive workforce. Through coordination with State and local governments, community organizations, and many partners, the Food and Nutrition Service provides access to healthful food, nutrition services, and education to 1 in 5 individuals at risk of hunger in the United States each day.

The programs administered by the Food and Nutrition Service are designed to respond to fluctuations in the economy and work to ensure all eligible children, individuals, and households can access nutrition benefits when they need it the most. Together, these programs form the Nation's nutrition safety net. As families, communities, and the Nation face significant economic challenges, these programs play an increasingly important role in supporting good nutrition and reducing the risk of hunger.

As the Chairman of the Committee on Education and Labor with jurisdiction for many nutrition programs administered by the Food and Nutrition Service, the Committee on Education and Labor recognizes the critical food assistance and nutrition services that these programs provide to children and families. And,

we are committed to ensuring that these programs have a strong foundation, so that all eligible children and individuals can access high quality nutrition assistance with dignity and respect. I look forward to working with my colleagues on the committee on the reauthorization of the Child Nutrition Programs later this year to further strengthen the Nation's nutrition safety net and the services that these programs provide.

I commend the Food and Nutrition Service for 40 years of important service to the Nation and support the Agency's continued effort to promote food security through access to nutritious foods, to improve diet quality, and to educate individuals on the benefits of and strategies for living a healthy lifestyle.

Mrs. EMERSON. Mr. Speaker, it is a pleasure to speak here today on behalf of this resolution recognizing the 40th anniversary of the Food and Nutrition Service of the Department of Agriculture. When President Lincoln organized USDA he called it the "People's Department." That legacy is truly evident in the millions of Americans served each day by the Food and Nutrition Service.

Contending with hunger is a sad fact of life for 36 million food insecure Americans. The programs administered and implemented by the dedicated public servants at FNS, Supplemental Nutrition Assistance Program, WIC, the National School Lunch Program, TEFAP and the Commodity Supplemental Food Nutrition Program—just to name a few—provide the difference between hunger and adequate nutrition for these adults and, unfortunately, so many children.

However, these programs, vital to so many of our constituents, do not run on autopilot. For the past 40 years dedicated individuals at the Food Nutrition Service have worked to reach those in need, while protecting the integrity of the programs they administer. They have driven error rates down, while working to increase participation rates; FNS has proven to be able stewards of the programs they administer.

Mr. Speaker, forty years ago today man set foot on the moon. This was a dream for untold generations which this government made a priority and achieved. When we set this goal, the tools needed to achieve it did not exist—they had to be invented. Forty years ago the Food Nutrition Service was also formed, our nation's greatest tool in fighting hunger. I look forward to the day when we set our goals high again and provide the resources necessary to truly end hunger in the United States.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 164.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just considered.

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

There was no objection.

RECOGNIZING BUREAU OF LABOR STATISTICS

Mr. COURTNEY. Mr. Speaker, I move to suspend the rules and concur in the concurrent resolution (S. Con. Res. 30) commending the Bureau of Labor Statistics on the occasion of its 125th anniversary.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

S. CON. RES. 30

Whereas the Act entitled "An Act to establish a Bureau of Labor", approved on June 27, 1884 (23 Stat. 60), established a bureau to "collect information upon the subject of labor, its relation to capital, the hours of labor, and the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity";

Whereas the Bureau of Labor Statistics is the principal factfinding agency for the Federal Government in the broad field of labor economics and statistics, and in that role it collects, processes, analyzes, and disseminates essential statistical data to the public, Congress, other Federal agencies, State and local governments, business, and labor;

Whereas the Bureau of Labor Statistics has completed 125 years of service to government, business, labor, and the public by producing indispensable data and special studies on prices, employment and unemployment, productivity, wages and other compensation, economic growth, industrial relations, occupational safety and health, the use of time by the people of the United States, and the economic conditions of States and metropolitan areas;

Whereas many public programs and private transactions are dependent today on the quality of such statistics of the Bureau of Labor Statistics as the unemployment rate and the Consumer Price Index, which play essential roles in the allocation of Federal funds and the adjustment of pensions, welfare payments, private contracts, and other payments to offset the impact of inflation;

Whereas the Bureau of Labor Statistics pursues these responsibilities with absolute integrity and is known for being unfailingly responsive to the need for new types of information and indexes of change;

Whereas the Bureau of Labor Statistics has earned an international reputation as a leader in economic and social statistics;

Whereas the Bureau of Labor Statistics' Internet website, www.bls.gov, began operating in 1995 and meets the public need for timely and accurate information by providing an ever-expanding body of economic data and analysis available to an ever-growing group of online citizens; and

Whereas the Bureau of Labor Statistics has established the highest standards of professional competence and commitment: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress commends the Bureau of Labor Statistics on the occasion of its 125th anniversary for the exemplary service its administrators and employees provide in collecting and disseminating vital information for the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlemen from Connecticut (Mr. COURTNEY) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

Mr. COURTNEY. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on Senate Concurrent Resolution 30 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of Senate Concurrent Resolution 30, which commends the work of the Bureau of Labor Statistics as it celebrates its 125th anniversary.

Since its founding in 1884, the Bureau of Labor Statistics has served as the principal factfinding agency for the Federal Government for all matters in the fields of labor, economics, and statistics. In this capacity, it has collected, analyzed, and disseminated essential labor-related data to all levels of government, various Federal agencies, and the American public.

As an institution, the Bureau of Labor Statistics has evolved throughout its 125 years. Originally serving a broad fact-finding mandate, the Bureau has since developed into many specialized arms that study a multitude of labor issues, including wages and prices, the state of industrial relations, unemployment, demographic shifts, and workplace safety conditions.

The Bureau has stringent criteria for its data and analyses in order to ensure that it is not only accurate but relevant to society. As a result of rapidly changing economic conditions, the Bureau of Labor Statistics has developed a reputation for responsiveness, swiftly adjusting its measures and indices to provide citizens and policymakers of this Nation with high-quality statistical data.

In its commitment to disseminate this valuable information, the Bureau of Labor Statistics established a Web site in 1995. Since that time, a variety of data access tools have been developed, providing increased access to the statistical data it analyzes and develops. Today, the use of the Web site is over 1,000 times what it was when it began, with more than 20 million users in the months of this year alone.

The data and analyses provided by the Bureau are invaluable, contributing to policy development process as well as the allocation of Federal funds

and private payments. I commend the work of the Bureau's many economists, mathematical statisticians, information technology assistants, and administrative specialists as they celebrate an impressive 125-year legacy.

Mr. Speaker, I ask my colleagues to join me in support of this important resolution.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of Senate Concurrent Resolution 30, commending the Bureau of Labor Statistics on its 125th anniversary.

In our current economic climate, there is a lot of discussion about economic data, what the data means for our recovery, and more importantly, how many of our fellow citizens are going back to work.

What is not talked about is the government agency that is responsible for gathering this data. For 125 years, the Bureau of Labor Statistics, BLS, has been charged with collecting and examining information related to our economic health. According to the BLS mission statement, the agency is the principal factfinding body for the Federal Government.

A survey of any economic analysis demonstrates that this information is widely used by academics, Federal and State governments, private companies, and news reporters. The agency has more than 2,000 economists in its headquarters and eight regional offices, gathering unemployment data, wage data, safety and health statistics, and a whole host of information to provide us with a clear picture of the state of the economy across this country. Congress relies on the statistics produced by the Bureau for a variety of programs and for guiding a myriad of policy decisions.

The Bureau examines payroll data and various demographics so that we have detailed information about employment by hours, by industry, and geographic areas. BLS also provides a snapshot of employee benefit plans or labor productivity.

When your children ask if they will ever use anything they learn in school in real life, you can point to the economists and statisticians at BLS as an example of putting math and science to work. When your children complain about how much time that they spend in school, you can tell them, according to the American Time Use Survey developed by BLS, 9 percent of the population is engaged in educational activities daily. I doubt if it brings them any comfort, though. That 9 percent spends, on average, 4.5 hours in class and 2.4 hours engaged in homework.

I rise today to commend the staff of the Bureau of Labor Statistics for 125 years of dedicated service and urge the passage of S. Con. Res. 30, commending their service to the Nation. I ask my colleagues to support this resolution.

I reserve the balance of my time.

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

Mr. THOMPSON of Pennsylvania. I yield 4 minutes to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I want to thank my friend from Pennsylvania for yielding me time, Mr. Speaker. As we're talking about the Bureau of Labor Statistics, it's an interesting period in our country's history because, just in the last few months since President Obama's taken office, our country has lost 2 million more jobs; 2 million more Americans are out of work, are part of those statistics. I think it's much more than statistics. It's policies by this administration that have caused those 2 million Americans to lose their jobs since January.

If you go back to the stimulus bill, that was the bill that was touted at stopping the bleeding. All of us on this side that opposed that bill, that opposed spending $800 billion of money that we don't have, said back then that that bill would actually make matters worse because it was adding mountains of debt to our children and grandchildren, but also it wasn't addressing the problems in our economy.

In fact, now we're seeing unemployment at 9.5 percent, approaching 10 percent, with 2 million more Americans having lost their jobs since President Obama took office. And what's this administration saying? Are they finally admitting that the stimulus was a failure? No. In fact, some in the White House are calling for another stimulus bill, more spending.

In fact, just last week at a convention of the AARP, Vice President JOE BIDEN said, ''We have to go spend money to keep from going bankrupt.'' Those are words the Vice President actually said just last week.

And so as this mountain of debt is piling up on the backs of our children and grandchildren, as the President is running car companies and running banks and running all of these other institutions—with over 30 czars, and it's not working—their own Vice President is saying they need to spend money to keep from going bankrupt.

These are ludicrous policies. We have got to go back to common sense. We've got to go back to fiscal discipline and start balancing our budget like every other State is dealing with their budgets, like American families are dealing with these tough economic times as they're pulling back and living within their own means. It's the Federal Government here in Washington that seems to be out of control on a spending frenzy.

Then, just a few weeks ago, they brought this cap-and-trade national energy tax, where they're literally proposing a policy that would run millions more American jobs out of this country to places like China and India, where they'll actually emit more carbon than we do here in America to do the same thing, while rising utility rates on every American family.

The President's own budget director said that the cap-and-trade energy tax would add another $1,200 a year to every American family's utility bills. So, as they're thinking about turning on their air conditioner in the summer, they're going to be thinking about whether or not they will pay these higher electricity rates.

These policies are helping lead to this rapid unemployment that is now approaching double digits. And the latest here we have in front of us in Congress is this debate over the President and Speaker PELOSI and others' proposal to have a government takeover of our health care system, where the estimates are that we would have hundreds of billions of dollars in new taxes, over $580 billion in new taxes on the backs of small businesses.

You would have $240 billion in fines in their approach on the backs of American families, including—get this. This is according to the Congressional Budget Office. In the President's takeover, proposal to take over the health care system by the government, they have $29 million in penalties against people who are uninsured. It's in the bill.

They have the ability for this health care czar—a health care czar that would literally be able to tell Americans whether or not they can see a doctor and which doctor they can see. It actually gives the authority to this bureaucrat in Washington to disqualify a company's entire health benefits plan.

□ 1545

So if you like the health care you have, the health care czar in their bill allows the health care czar to take your health care benefits away.

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

Mr. THOMPSON of Pennsylvania. I yield 1 additional minute to the gentleman from Louisiana.

Mr. SCALISE. I thank the gentleman from Pennsylvania.

If you look at these policies—and the American people out there across the country are looking at these policies, and that's a good thing because as they look at these policies, and they hear the leadership here in Washington, the people running Congress, saying they need to ram these policies through before the next 2 weeks are over, I think people are figuring it out. They're saying, Wait a minute.

Many Members who actually voted for that cap-and-trade energy tax didn't even read the bill because they dropped 300 pages of amendments down the day of the vote. And we know they're going to try to do the same thing again on this government takeover of health care, and people are sick and tired of it. People are finally saying, Enough is enough; control spending and these czars; stop running car companies; stop running banks; and, surely, don't try to have some government bureaucrat take over our health care system.

So hopefully we won't add millions more Americans to these statistics that we're talking about today by the Bureau of Labor Statistics.

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Pennsylvania has 12½ minutes remaining, and the gentleman from Connecticut has 18 minutes remaining.

Mr. THOMPSON of Pennsylvania. I yield as much time as he may consume to Dr. BROUN of Georgia.

Mr. BROUN of Georgia. I thank my friend from Pennsylvania (Mr. THOMPSON) for yielding some time to me.

Mr. Speaker, I would like to tell you and the American people a labor statistic that just came out from CBO last week in testimony before the U.S. House. The CBO director said that the ObamaCare Washington bureaucrat-run socialized medicine health care bill that's being considered here in the U.S. House is going to cost Americans 750,000 jobs. I think it is a minimum that 750,000 jobs are going to be lost. We keep hearing various figures in ObamaCare of the cost of $1 trillion, $1.5 trillion, $2 trillion. The CBO has not released off-budget figures. We're just getting a paltry amount of those off-budget figures.

This is going to be extremely, extremely costly to the American people. The CBO last week also said that this is not going to lower the cost of health care delivery. Mr. Speaker, I am a medical doctor. I have practiced medicine for over 3½ decades. What's fixing to happen to the American people, Mr. Speaker—and you need to understand that the ObamaCare bill is going to insert a Washington bureaucrat between them and their doctors. This Washington bureaucrat is going to make decisions for them. It's not going to be made by the patient or the patient's family, not by the doctor, but by a Washington bureaucrat who is going to ration their care.

That Washington bureaucrat is going to tell all patients in this country, whether in private insurance or public insurance, whether they can have a procedure, such as a surgery, that's very needed. This Washington bureaucrat is going to tell the American people, the patients, whether they can have an MRI that's desperately needed to evaluate a cough, a pain in their chest, pain in their knee, pain in their low back.

A Washington bureaucrat is going to make those decisions, Mr. Speaker; and I hope the American people are listening today so that they can understand what's going to happen if we have ObamaCare. The Bureau of Labor Statistics is going to give us more and more bleak news if this goes into law about how people's incomes are going to go down, literally go down because the health care commissioner, or health czar, as Mr. SCALISE was talking about, is going to dictate their health care policy plan to them, even if it's privately paid for, privately administered.

There are not going to be any more private insurance plans because the health care commissioner is going to dictate all the plans in this country, every single one of them. We hear over and over, if you like your private health insurance plan, keep it. But, Mr. Speaker, not one single person in this country, unless they're extremely wealthy—and I mean extremely wealthy—is going to be able to keep their private health care plan. The reason for that is because most people are dependent upon their employer to provide their health insurance. But a government bureaucrat is going to tell every single employer in this country what kind of health care plan, what kind of limits, what kind of coverage, what doctor, everything that plan offers.

So the plan that they have today is going to be obsolete. It's not going to be available anymore. What's even more unfortunate is every single employee, worker that does not accept the government-mandated plan is going to be fined by the Federal Government, fined for not accepting a government-mandated plan.

Now, Mr. Speaker, that's not freedom. That's socialism. We, in this Congress, are going to dictate to employers, employees, to those that are buying their own insurance what kind of health care insurance they have; and it's going to be disastrous. The cost is going to skyrocket. The CBO has already said it's going to cost millions of others jobs. People are going to have long waiting times to get the surgery that they need, MRIs, and maybe even plain x rays.

Mr. Speaker, folks in Canada and Great Britain are coming to this country now to get health care because we have the best health care in the world. We're not going to have anyplace to go because our quality of health care is going to be destroyed by the ObamaCare plan. Mr. Speaker, the American people need to understand where we're headed. I hope the American people will rise up and tell their Members of Congress in the House and the Senate ''no'' to ObamaCare.

Republicans are offering many alternatives that will literally lower the cost of health insurance, literally lower the cost of medicines in the drugstore, literally empower the doctor-patient relationship into how health care decisions are made, and will stop the government from dictating things. Mr. Speaker, practicing medicine, I've seen how government intrusion into my practices has increased the cost to my patients.

Two good examples: Congress passed the Health Insurance Portability and Accountability Act, HIPAA. That act has cost the health care industry billions of dollars and has not paid for the first aspirin to treat the headaches it has created, and it was totally unneeded legislation. Congress passed CLIA, the Clinical Laboratory Improvement Act. It ran up the cost of just simple labs that I used to do in my office to extraordinarily higher costs to patients, thus increasing the cost of the insurance to every person.

We are being offered an expansion of Medicare or an expansion of Medicaid. We already see tremendous problems in both of those programs. Mr. Speaker, ObamaCare is going to expand those; and we're going to have more fraud, more abuse, more waste, higher costs because of government intrusion into the health care system. Mr. Speaker, ObamaCare is going to put the U.S. Bureau of Labor Statistics into overtime, providing more statistics, more job losses, lower wages, more people out of work and higher costs for all goods and services in this country. They're going to give us data in the future of a poor economy.

Stealing our grandchildren's future has to stop, and I hope the American people will stand up and say ''no'' to the cap-and-tax or tax-and-trade bill that's in the Senate and ObamaCare.

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I don't have any additional speakers, so I yield back the balance of my time.

Mr. COURTNEY. Mr. Speaker, again, the resolution which we're focused on is about celebrating 125 years of great work by the people from the Bureau of Labor Statistics. Obviously the discussion, because the rules of our House permit it, sort of went off into different areas. I would like to just quickly note two things: number one, the Bureau of Labor Statistics would demonstrate or would show that we've had serious job losses over the last 6 months; but it would also show that in the final quarter of 2008, the GDP of this country dropped by 6 percent, the biggest drop since the Great Depression. Obviously, it was the policies which preceded that downturn that have created the situation and the environment that we're in right now.

Given the fact, as the Bureau would show, we have exhausted almost every tool in the monetary toolbox in terms of lowering interest rates, it was critical for our country to step in and use fiscal policy as a way of turning this country around. And if we look at the bipartisan Governors conference, which met this past weekend, Republican and Democratic Governors all acknowledged that the fiscal relief that came through Medicaid payment boosts, through increases in education spending through the State Fiscal Stabilization Fund, through increased funding in title I and special education literally made the difference of whether dozens of States were able to balance their budgets in this critical downturn.

Go ask a Realtor in this country whether or not the stimulus bill, which

provides a first-time home buyer tax credit, has, in fact, revived the real estate market, because they will tell you a resounding ''yes.'' I know in my district we saw a 4 percent increase in home sales; and every single Realtor that was interviewed—in the reporting, again, that came out from the government on that increase in sales—attributed the stimulus package and the first-time home buyer tax credit for the fact that we are seeing that turnaround.

Now as we see the infrastructure dollars filter their way through the bidding process, which every State must conduct for surface transportation projects, we are going to see an uptick in construction and building trades from the stimulus package.

The other brief mention and the second point I want to make is, again, I respect Dr. BROUN for his profession and many of the doctors that serve in the House of Representatives. But as we listen to some of the hysterical statements about the health care reform initiative, I would point out that the American Medical Association, the largest trade group which represents doctors all across this country, came out foursquare in support of the House health care reform bill.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. COURTNEY. I will not yield because I sat and listened to representations about that plan which are inaccurate in terms of what it's going to do, in terms of patient choice, but certainly, and more importantly, in how providers are going to be treated. Because the AMA and the American College of Surgeons came out loud and clear in support of this measure and for good reason, because they know that we have a system which is in desperate need of reform.

In conclusion, regarding this resolution before us, when we make choices, both as policymakers in the legislative branch and the executive branch, the key is that we need good data. We need to see where we're going as a Nation, and the people who work at the Bureau of Labor Statistics provide decision-makers and policymakers that opportunity with the great work that they do. I think it's wonderful that on a bipartisan basis we're able to come together, celebrate and recognize the great work that they do.

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

The SPEAKER pro tempore (Mr. PETERS). The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and concur in the concurrent resolution, S. Con. Res. 30.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1600

RECOGNIZING CONTRIBUTIONS OF JOHN WILLIAM HEISMAN TO FOOTBALL

Mr. COURTNEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 123) recognizing the historical and national significance of the many contributions of John William Heisman to the sport of football.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 123

Whereas, born in 1869, John W. Heisman was an early and influential developer of the game of football, one of America's most beloved sports;

Whereas Heisman learned the game of football playing for Titusville High School in the 1880s and began his long career as a player, coach, writer, and great innovator of the sport;

Whereas Heisman played college football for Brown University and the University of Pennsylvania;

Whereas his coaching career lasted from 1892–1927 and took Heisman to many institutions including: Oberlin College, Auburn, Clemson, Georgia Tech, Washington and Jefferson, Rice University, and his alma mater, the University of Pennsylvania;

Whereas, after coaching, Heisman continued his involvement with the sport as a well-known author and publisher of sports periodicals;

Whereas, as head coach of Georgia Tech's football club, his team saw an incredible 33 back-to-back wins, while going 37–4–2 in his final five years as coach;

Whereas Heisman coached Georgia Tech to an incredible 222–0 win over Tennessee's Cumberland College, the highest scoring football game on record;

Whereas Heisman is credited with inventing the forward pass, which is widely considered to be his greatest contribution to the sport;

Whereas he introduced games consisting of four quarters, invented the center snap, and created plays that were precursors to the T and I formations;

Whereas, as director of the New York Downtown Athletic Club (DAC), Heisman and DAC established an annual award for the best college player in the Eastern U.S., which subsequently became national in scope in 1935;

Whereas the award was renamed the Heisman Memorial Trophy after he passed away in 1936; and

Whereas John Heisman was elected into the College Football Hall of Fame in 1954: Now, therefore, be it

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

(1) recognizes the significance, the importance, and many contributions John Heisman had on its development of one of America's most beloved sports—football;

(2) praises Heisman's efforts in helping to establish the most valuable player award for college football, which eventually would be named for him; and

(3) acknowledges Heisman's innovative and influential coaching techniques and strategies, as well as his legendary leadership on and off of the football field.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut (Mr. COURTNEY) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

Mr. COURTNEY. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous material on House Concurrent Resolution 123 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of the resolution filed by the gentleman from Pennsylvania (Mr. THOMPSON) to recognize the significance of John Heisman and his tremendous influence on American football.

Born in Cleveland, Ohio, in 1869, John Heisman grew up and learned the game of football at Titusville High School. He began his collegiate football career at Brown University. However, he completed his playing years as a lineman at the University of Pennsylvania.

Mr. Heisman began his illustrious coaching career at Oberlin College after he graduated from the University of Pennsylvania. He then went on to coach at Akron, Auburn, Clemson, Georgia Tech, the University of Pennsylvania, Washington and Jefferson, and Rice University. With his stern and innovative coaching style, he posted a 71 percent lifetime winning percentage. Most notably, he won 33 straight games when he coached the Georgia Tech Yellow Jackets. To this day, it is still one of the longest winning streaks in college football history. While coaching the Yellow Jackets, he led his team to a 222–0 victory over the defenseless Tennessee Cumberland College.

Heisman's football inventions revolutionized the game. He instituted the game divisions broken up into quarters, the center snap, and the T and I backfield formations. Most impressively, he established the forward pass. Without his contributions, American football would not be the same game that we experience today.

Late in his life, Heisman became the first athletic director of New York's Downtown Athletic Club. In 1933, John Heisman helped to organize the first Touchdown Club of New York, and in 1935 he inaugurated the first Downtown Athletic Club trophy for the best college football player east of the Mississippi. Two months after his death on October 3, 1936, the trophy was renamed the ''Heisman Memorial Trophy'' in his honor. The Heisman Trophy is now one of the most prestigious athletic awards in the Nation.

Mr. Speaker, once again, I want to express my support for House Concurrent Resolution 123 and thank Representative THOMPSON for bringing this resolution forward.

I urge my colleagues to support this resolution, and I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, I rise today in support of House Concurrent Resolution 123, recognizing the historic and national significance of the many contributions of John William Heisman to the sport of football.

John William Heisman was one of the single most influential individuals in the sport of football, the most watched sport in the United States. John Heisman was born in Cleveland, Ohio, on October 23, 1869. He began his football career at Titusville High School. He was introduced to football through the Titusville Rockets and continued at Brown University and the University of Pennsylvania, where he received his law degree in 1892.

He served as the head coach for a total of eight university football teams, including 16 years at Georgia Tech and 3 years at the University of Pennsylvania. He coached Georgia Tech in the most one-sided football game ever played—with a final score of 222–0—and led them in a 33-game winning streak. Of the 271 games John Heisman coached, in only 68 of those games did the opponents finish the game with a win. He retired in 1927 and passed away in 1936.

John Heisman's influence on football is undeniable but the history of football itself began before John Heisman's birth. American football was started sometime in the mid-19th century and was a divergence from the game of rugby. College students in the late 19th century took the lead in turning the evolving game of football into an organized support. In 1920 the American Professional Football Association was formed and 2 years later became the National Football League. The game of football has continued to evolve from that time to today with the influence of various coaches, rule makers and organization heads.

John William Heisman's influence on the game of football helped to make the game what it is today. His inventions include the four-quarter game, the ''hike,'' the center snap and the forward pass. In addition, he created many innovative plays that led to some of the basic formations used in today's games.

John William Heisman was a nationally recognized collegiate coach and an influential innovator. In the time before and after his death, his accomplishments were recognized by many nationwide. John Heisman had several articles published in magazines such as ''American Liberty'' and was the football editor of the ''Sporting Goods Journal.'' He served as the director of the Downtown Athletic Club in Manhattan, and in 1935 helped to create the award that would later be renamed the ''Heisman Memorial Trophy.''

John Heisman's accomplishments and contributions to the sport of football are many in number. His ideas and coaching helped to create the game that has become so imbedded in the culture of our Nation. I ask my colleagues to support this resolution.

Mr. Speaker, I have no further speakers, and I yield back my time.

Mr. COURTNEY. We have no further speakers. Again, I salute Mr. THOMPSON for bringing this resolution forward, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 123.

The question was taken.

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

INSTRUCTING MANAGERS IN THE IMPEACHMENT OF JUDGE KENT TO ADVISE THE SENATE THAT THE HOUSE DOES NOT DESIRE FURTHER TO URGE THE ARTICLES OF IMPEACHMENT

Mr. JOHNSON of Georgia. Mr. Speaker, I ask unanimous consent to send to the desk a resolution and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:.

H. RES. 661

Resolved, That the managers on the part of the House of Representatives in the impeachment proceedings now pending in the Senate against Samuel B. Kent, formerly judge of the United States District Court for the Southern District of Texas, are instructed to appear before the Senate, sitting as a court of impeachment for those proceedings, and advise the Senate that, because Samuel B. Kent is no longer a civil officer of the United States, the House of Representatives does not desire further to urge the articles of impeachment hitherto filed in the Senate against Samuel B. Kent.

The resolution was agreed to.

A motion to reconsider was laid on the table.

A CHILD IS MISSING ALERT AND RECOVERY CENTER ACT

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1933) to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1933

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 ''A Child Is Missing Alert and Recovery Center Act''.

SEC. 2. DIRECTING THE ATTORNEY GENERAL TO MAKE ANNUAL GRANTS TO A CHILD IS MISSING ALERT AND RECOVERY CENTER TO ASSIST LAW ENFORCEMENT AGENCIES IN RECOVERING MISSING CHILDREN.

(a) IN GENERAL.—The Attorney General, acting through the Administrator of the Office of Juvenile Justice and Delinquency Prevention, shall annually make a grant to the A Child Is Missing Alert and Recovery Center.

(b) SPECIFIED USE OF FUNDS FOR RECOVERY ACTIVITIES, REGIONAL CENTERS, EDUCATION, AND INFORMATION SHARING.—A Child Is Missing Alert and Recovery Center shall use the funds made available under this Act—

(1) to operate and expand the A Child Is Missing Alert and Recovery Center to provide services to Federal, State, and local law enforcement agencies to promote the quick recovery of a missing child in response to a request from such agencies for assistance by utilizing rapid alert telephone calls, text messaging, and satellite mapping technology;

(2) to maintain and expand technologies and techniques to ensure the highest level of performance of such services;

(3) to establish and maintain regional centers to provide both centralized and on-site training and to distribute information to Federal, State, and local law enforcement agency officials about how to best utilize the services provided by the A Child Is Missing Alert and Recovery Center;

(4) to share appropriate information with the National Center for Missing and Exploited Children, the AMBER Alert Coordinator, the Silver Alert Coordinator, and appropriate Federal, State, and local law enforcement agencies; and

(5) to assist the National Center for Missing and Exploited Children, the AMBER Alert Coordinator, the Silver Alert Coordinator, and appropriate Federal, State, and local law enforcement agencies with education programs.

SEC. 3. DEFINITION OF MISSING CHILD.

For purposes of this Act, the term ''missing child'' means an individual whose whereabouts are unknown to a Federal, State, or local law enforcement agency.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

For grants under section 2, there are authorized to be appropriated to the Attorney General $5,000,000 for each fiscal year from fiscal year 2010 through fiscal year 2015.

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

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JOHNSON of Georgia. I ask unanimous consent that all Members

have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 1933, the A Child is Missing Alert and Recovery Center Act helps address the terrifying experience of when a family member or friend ''goes missing.''

Under current law, there are programs such as AMBER Alert to help missing children who are abducted or victims of foul play. But these programs do not extend to situations where a child or elderly person becomes missing in other, more innocent ways.

H.R. 1933 fills this gap by authorizing money for annual grants to the A Child is Missing Alert and Recovery Center. This national nonprofit program provides assistance to local law enforcement throughout the country in all situations of missing persons, not only those involving criminal activity.

Mr. Speaker, the center helps when a small child fails to come home after school or a grandmother suffering from Alzheimer's disease walks out of her home in the middle of the night. When the terrifying event of a missing person is reported to the police, the responding police officer can call the center, which operates 365 days a year, 24 hours a day.

Based on information from the call, the center quickly prepares a recorded message that includes a description of the missing person, along with the location where the person was last seen. And within minutes, the center sends this recording to thousands of phones within a radius of the last known location.

This activity can save lives, as well as conserve critically needed enforcement resources that would otherwise be spent in extended searches for missing persons. The bill before us today will make a significant contribution to the protection of children and vulnerable adults throughout the United States.

I thank the sponsor of this bill, my good friend, RON KLEIN of Florida, for his leadership on this important legislative issue.

I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, every 40 seconds a child goes missing in this country, over 2,100 every day of each year. At least 800,000 children are reported missing each year, and another 500,000 go missing without ever being reported.

The AMBER Alert system is activated when there is evidence that a missing child has been abducted and the police have sufficient information about the abductor or the vehicle to warrant use of that system, the AMBER Alert system. But without evidence of an abduction, law enforcement cannot issue an AMBER Alert. This is where A Child is Missing steps in.

A Child is Missing assists police in the first crucial hours of searches for missing children, elderly and the disabled. The first 6 hours after an alert are the most crucial in finding someone who is missing.

To date, more than 12 million calls have been made to the A Child is Missing system, resulting in over 8,000 missing person cases nationwide. These efforts have led to the recovery of 530 missing persons since the inception of this wonderful program.

This technology is particularly useful in rural communities with small police forces assigned to patrol large geographic areas. These law enforcement agencies often lack the manpower to launch a full-scale search for a missing child. A Child is Missing compensates for this reduced manpower by notifying thousands of area residents within minutes that a child has gone missing in their community. The A Child is Missing system can launch 1,000 calls in 60 seconds to residences and businesses in the area where the child was last seen.

Law enforcement officials around the country have successfully used this system to quickly distribute valuable information about the child while launching full-scale searches in a matter of minutes. Over 2,000 of the Nation's law enforcement agencies currently use this alert system.

H.R. 1933, the A Child is Missing Alert and Recovery Center Act, expands the availability of a system that helps locate a child as soon as he or she goes missing, often before the AMBER Alert can even take effect.

The bill authorizes $5 million for fiscal years 2010 through 2015 for grants to increase the use of this alert system. This simple system can mean the difference between life and death for a child and give peace of mind to so many parents whose children go missing every day.

Children are the greatest natural resources that we have in this country, and this legislation deals with the health of our kids. There is nothing that scares a parent or even a child more than for a child to be missing and fearful of not ever being recovered.

As founder and cochair of the Victims' Rights Caucus, I would like to thank Mr. KLEIN for his leadership in this issue.

I urge all my colleagues to support this bill, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I will reserve the balance of my time.

Mr. POE of Texas. I yield to the gentlelady from Florida, the ranking member on the Foreign Affairs Committee (Ms. ROS-LEHTINEN) as much time as she wishes to use.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman from Texas for yielding me the time.

I congratulate our Florida colleague, Congressman RON KLEIN, for the foresight of proposing this legislation, and I hope that our colleagues will join us in adopting this.

I rise today in support of Mr. KLEIN's bill, H.R. 1933, A Child is Missing Alert and Recovery Center Act. God forbid that parents would be forced to suffer the horror of their child going missing or even worse, hear the news that their child has been abducted. As parents, that possibility is a fear that we have known since our children are born. And certainly we must do everything in our power to avoid tragedy.

When it does strike, we must be organized, we must be coordinated, and we must be ready to respond. This bill does precisely that. Grants distributed to Federal, State and local law enforcement agencies through this act will aid in the recovery of so many children who are reported missing each and every year. Let us make sure that every parent is secure in the knowledge that local and national law enforcement agencies are prepared to coordinate an effective response to any missing child.

As a brand new grandmother—just 4 days ago, our first grandchild, Morgan Elizabeth Lehtinen was born, I know that this is a problem and a shock to every parent and every new grandparent, the possibilities of the dangers out in the world.

□ 1615

But when we pass this bill, we will know that our law enforcement agencies are ready to coordinate with other State and local and Federal agencies to make sure that we have a rapid response and one that is coordinated.

So I thank my good friend from Florida, RON KLEIN, for its introduction. I thank the gentleman from Texas for the time.

Mr. JOHNSON of Georgia. Mr. Speaker, may I inquire as to how many more speakers my colleague on the other side would present?

Mr. POE of Texas. I know of no other speakers, other than to close.

Mr. JOHNSON of Georgia. With that being the case, Mr. Speaker, I will close when my friend, Judge POE closes.

And by the way, before I do that, I would like to extend my humble congratulations to the Congresswoman for the birth of her first grandchild. That's great.

Mr. POE of Texas. This legislation is important. As has been stated by the ranking member, Ms. ROS-LEHTINEN, whose granddaughter was born, happened to be born on her birthday, Ms. ROS-LEHTINEN's birthday.

Most of us have kids. I have seven grandkids, and the worst thing that could ever happen was for one of those kids to disappear.

And we're judged, as a society, not by the way we treat the rich, the famous, the powerful, the all important. We're judged by the way we treat the innocent, and that includes kids and the elderly.

This legislation will help find those kids, the elderly, the disabled if they have the misfortune to disappear from home. And the amount of money being spent is almost nothing, considering how much money Congress has been spending lately, with $5 million. But that $5 million law enforcement can use to help find those kids.

So I would urge the adoption of this resolution.

I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I wholeheartedly agree with the comments of my good friend from Texas, Judge POE. And he knows from practical experience what it means to a family when their loved one goes missing and then there is a positive outcome. And he's also aware of those situations that do not end on a positive note.

I also have the same experience in life, but fortunately, it's not due to a personal experience. But I just can't imagine how traumatic it must be for a mother or a father to be waiting at the bus stop for their child to disembark, and then that child is not on that bus. I can imagine the horror of waking up one morning, and my dear grandmother, who is mentally declining, has apparently been able to open the door and exit. And these are things that none of us wish on anyone.

And this bill, H.R. 1933, will hopefully add to the positive results that we have as we look for our missing children and our missing adults and the elderly.

And so, Mr. Speaker, having emphasized that I fully support this bill, I will yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 1933.

The question was taken.

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

Mr. POE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

KOREAN WAR VETERANS RECOGNITION ACT

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2632) to amend title 4, United States Code, to encourage the display of the flag of the United States on National Korean War Veterans Armistice Day.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2632

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 ''Korean War Veterans Recognition Act''.

SEC. 2. DISPLAY OF FLAG ON NATIONAL KOREAN WAR VETERANS ARMISTICE DAY.

Section 6(d) of title 4, United States Code, is amended by inserting ''National Korean War Veterans Armistice Day, July 27;'' after ''July 4;''.

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

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 2632, the Korean War Veterans Recognition Act, would amend the Flag Code to include Korean War Veterans Day among the times and occasions for display.

Section 6(d) of title IV, the United States Code, states that the flag should be displayed on all days, but singles out a number of days for special recognition. Among those days are the birthdays of President Washington, President Lincoln, Martin Luther King, Jr., and Armed Forces Day, Memorial Day, and Veterans Day, to name a few.

It is more than appropriate that we add to this list Korean War Veterans Day. Doing so will provide a fitting reminder for all of us to remember and to honor the men and women who served so honorably in the Korean war.

The Korean war has been referred to as America's ''forgotten war'' because it came on the heels of World War II and was later overshadowed by Vietnam, but although fighting between the Democratic People's Republic of Korea and the Republic of Korea lasted a mere 3 years, from June 1950 until July 1953, it was ferocious. At least 2.5 million people lost their lives.

The war brought the United States into battle with the Soviet Union and the People's Republic of China. And with the Soviet Union having recently joined the United States in developing nuclear weapons, there was a very real concern that the war it might escalate into would be a nuclear conflict.

The Korean war cost more than 54,000 American lives in that 3-year period, almost as many as who died in the 16 years of the Vietnam war. In addition, more than 103,000 American soldiers were wounded in Korea.

It's more than fitting that this Nation remember and honor the service of our Korean war veterans, and this legislation will provide a poignant reminder of that service.

I especially want to commend my colleague, the gentleman from New York, the Honorable CHARLES RANGEL, for introducing this legislation. He is, himself, a veteran of the Korean conflict, having served in the Army from 1948 through 1952, and also the United States Civil War, which ended back in 1865. He served in that war as well.

And I urge my colleagues to support this important legislation, and I reserve the balance of my time. And I believe that my humor has gone over the heads of those who occupy the Chamber at this particular time.

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

I noticed that the gentleman from New York was a little concerned when he was informed that he served in the Civil War in 1865.

But be that as it may, Mr. Speaker, H.R. 2632, the Korean War Veterans Recognition Act, amends the official Flag Code to add National Korean War Veterans Armistice Day, which is July 27, to the list of days on which the American flag should be displayed.

In 1950, the North Korean military, with the aid of the Chinese, crossed the 38th parallel and invaded South Korea. This act of Communist aggression was met by 22 countries who joined together to challenge one of the many threats that developed during the cold war challenge; a United Nations endeavor, but most of those troops were, of course, as always, from the United States.

Americans comprised the majority of that valiant force, and almost 2 million members of the U.S. military successfully drove back the North Korean forces in places such as Pork Chop Hill and the Pusan Perimeter. And during that war, 34,000 Americans never came home, 92,000 others were wounded.

Were it not for the immense bravery and sacrifice of the men and the women who served in Korea during those cold winters, even more of the world would have been denied prosperity and freedom behind the Iron Curtain.

In 1953, the Military Armistice Agreement halted the march of communism into South Korea. Today, as we once again confront a belligerent, nuclear-armed North Korea, once again backed by the Chinese, we owe it to the veterans of the Korean war and their families to honor their service by adding July 27, National Korean War Veterans Armistice Day, to the list of days in which the Flag Code encourages displaying the Stars and Stripes.

As a cosponsor of this resolution, I urge all my colleagues to join me in supporting H.R. 2632.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield to my colleague and my mentor, Representative RANGEL, as much time as he may consume.

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

Mr. RANGEL. I want to thank Chairman CONYERS and Mr. SMITH for allowing this bill to come on the floor. I want to congratulate Chairman CONYERS and SAM JOHNSON, who served in the Korean war, for participating and making this become a reality, and ILEANA ROS-LEHTINEN, as well as DIANE WATSON and PETER KING.

In 1948, millions of young people throughout these United States joined the military. We, some of us were sent to Fort Dix in New Jersey, and from there we went to Fort Lewis, Washington, to join the Second Infantry Division, the only division, actually, that was trained all over the world in order to be the one combat-ready division.

Sometime in June of 1950, we were alerted that the North Koreans had invaded South Korea. Most of us didn't even know where Korea was, but we were prepared to fulfill our responsibility as infantry people.

□ 1630

The 24th and the 25th divisions were stationed in Japan, and they were immediately sent to South Korea. The truth was that the North Koreans had driven them to the tip of the peninsula to such an extent that, when we arrived in July, there was some question as to whether or not we could land; but we did in what they called the Pusan Perimeter. We fought from that perimeter to the 38th parallel. As most of you know, General MacArthur landed at Icheon, and we had completely surrounded the enemy as we knew it, and moved up far beyond North Korea until we reached the tip of that peninsula, which was the Yalu River, which separated South Korea and North Korea from China. It was then that the Chinese entered this war and completely surrounded us and the entire Eighth Army.

We lost so many, so many American lives. So many Americans were captured. So much pain was caused to so many families and to so many communities. Now there are only 2 million of these veterans who are left, and 1,000 of us die every day. Notwithstanding the fact that in my lifetime, for most of it, I've known nothing but wars and that this one is just referred to as the Forgotten War, it just appears to me that this is the most painful because so many veterans have never really received the accolades for the sacrifices that they have made. Their families have suffered so much.

So this is just a small way for America to be able to say that we don't know how many conflicts there will be for which we will have to call on our young people to defend our great Nation or the principles for which we stand, but I think this is the least that we can do to have our flag to commemorate this so-called armistice that took place on July 27 so that we will know that, in the hearts of all Americans, there were people who made these sacrifices and that America is thankful for it.

So, Mr. JOHNSON, I appreciate the fact that we have brought this to the floor. I do hope that the veterans who are left who fought in Korea and, more importantly, that their families and communities know that our Nation is saying thank you.

I rise today to speak on my bill, the Korean War Veterans Recognition Act. This bill is important not only to our nation's commitment to defending freedom across the world especially in these times of global conflict.

I would like to thank Chairman CONYERS and Ranking Member LAMAR SMITH of the Judiciary Committee for their work in getting this bill to the Floor today. I also want to thank the original cosponsors: Chairman CONYERS and SAM JOHNSON, who both served in the Korean War, and ILEANA ROS-LEHTINEN, DIANE WATSON, and PETER KING.

This straightforward bill honors the 6.8 million Americans who served during the Korean War period, and those who paid the ultimate sacrifice, by adding National Korean War Veterans Armistice Day, July 27th, to the list of dates on which our American flag should be especially displayed.

By recognizing the Armistice Day—the day on which the Korean War unofficially ended, ensuring South Korea's independence and democracy—this bill promotes an annual reminder of the sacrifices made by our military men and women during the war period, including the 54,246 U.S. deaths and more than 8,100 POW/MIAs in the three short years that the Korean War lasted.

Mr. POE of Texas. I yield 2 minutes to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. I thank my friend, Judge POE, for yielding a couple of minutes to me.

Mr. Speaker, I want to rise in absolute support of this bill. The Korean war has been called the Forgotten War. The Vietnam war is the war of forgotten veterans. I served in the Marine Corps. I actually had a commission in the Navy and, later on, in the Air Force. As one who believes in the Constitution as our Founding Fathers meant it when they wrote it, I know that national defense is the number one issue that this Congress should focus upon more so than anything else, and we ought to give—it is right to give; it is due to give—recognition to these brave men and women who were engaged in the conflict in Korea.

We signed an armistice with the Koreans, and technically, we're still at war there. We still have veterans who are missing in action from many wars. We still have veterans who are stationed all over this world in an effort to maintain freedom in America. So it's absolutely critical that we recognize our veterans, not only from the Korean war but from all wars, whether it's World War II, Korea, Vietnam, Desert Storm, Iraqi Freedom, or the war that's ongoing in Afghanistan.

I hope that America will pause and will thank the service men and women who have put on a uniform, who have given their time, their efforts, their limbs, their eyes, their lives to protect freedom in America.

So I congratulate the Members who have brought this very important legislation to the floor. I thank my friend Mr. RANGEL from New York for his service to the Nation. I thank all members of the military for serving this Nation. I very ardently support this.

I appreciate, Judge POE, your yielding me some time.

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

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

Mr. Speaker, the Korean war is an odd sort of name in that it was first never called a ''war.'' Back when men went to Korea, for some reason, somebody in the press decided to call it a ''conflict'' like it's a street fight or something, and because of that, I don't think that the Korean war veterans have received the recognition that they deserve.

This was a hard-fought, bloody, cold war where 34,000 Americans died and where 92,000 others were wounded. Because of history, those folks who served, and as my friend from Georgia has pointed out, we still have men and women in Korea who are protecting those borders between North and South Korea. Still, technically, those two countries are at war with each other because there was never a treaty; there was just an armistice.

We should give those people the recognition they rightfully deserve, because that was the first battle, the first war, where the free West met the Communist and was successful in defeating communism in Korea. We let people know we will fight wherever we need to go throughout the world to prevent communism from spreading. The men and women who served in Korea, who rightfully did that and who honorably did that, should be recognized.

I'm glad to see that we have finally built them a memorial on the Mall, the Korean War Veterans Memorial, a great tribute with the other memorials that we have, the World War II Memorial that we have and the Vietnam Memorial.

So this legislation is important. It's important that we, as Americans, remember our history and that we rise to a level where we understand that all of those veterans, that all of those men and women who served, deserve the rightful recognition for what they did for America when they were called to do so.

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

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

Mr. Speaker, I want to thank my dear colleagues, Chairman RANGEL and Judge POE out of Houston, Texas, and also my friend from Georgia, Dr. BROUN—or Bron. I call him ''Congressman,'' but we have a great relationship, and I enjoy his fellowship. I wish

to associate myself with the comments of all three of these gentlemen.

It's rather ironic that 56 years after the Korean War ended we are on the verge of, perhaps, another Korean war, and I don't think that the times could be more tense in South Korea than they are now. I had the opportunity to visit about 6 months ago, and the mood and the heavy feeling of impending war will remain heavily etched on my heart. I am hopeful that this administration can lead us and can lead the world out of this conflict.

This is just one of many, but I will tell you my personal experience as a young boy. I didn't get challenged too much, but whenever anyone did step to me, I would have to take defensive action. If I had my hands tied behind me, that would not be a fair fight, and if I had not been working out a little bit and if my muscles had not been in shape, I would not have been able to handle the conflict or deter it.

Mr. Speaker, I will report to you that I only had about 10 fights and lost only one, and I'll tell you that those were the things that helped me to ward off any future belligerence.

Certainly, in this country and in this world, we would be remiss as a Congress, as a legislative branch, if we did not prepare for the worst. With respect to our defense, it means that we have got to have a strong military and one that is well equipped to meet whatever the challenge may be. We cannot assume that there will not be another Cold War, because you could not assume, at the end of World War II, that the Chinese and the Russians would get together and gang up. I did not know that for sure, and then, boom, it happened.

Things are unexpected. It seems like, every 50 years, there is something big that happens, and we're at 56 years now. We simply cannot afford, as a Nation, to be caught without our defenses as tight as they can be. That means our firepower, our sea power, our power in outer space, our cyberspace, and our infantry. All of these aspects of our defense have to be up to par, so I am happy to serve on the Armed Services Committee where I can be a spokesperson and a proponent of making sure that this country remains strong.

I want to thank all of the veterans. My dad served in World War II, and today, he is 86 years old and is not doing too well, but I am proud of him serving his country, and I am proud of every other serviceman and -woman who has served this country. I look forward to a peaceful world; but if not, we have to do what we have to do.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 2632.

The question was taken.

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

Mr. POE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1645

FRANK MELVILLE SUPPORTIVE HOUSING INVESTMENT ACT OF 2009

Mr. GRAYSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1675) to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1675

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

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the ''Frank Melville Supportive Housing Investment Act of 2009''.

(b) REFERENCES.—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, section 811 or any other provision of section 811, the reference shall be considered to be made to section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013).

SEC. 2. TENANT-BASED RENTAL ASSISTANCE THROUGH CERTIFICATE FUND.

(a) TERMINATION OF MAINSTREAM TENANT-BASED RENTAL ASSISTANCE PROGRAM.—Section 811 is amended—

(1) in subsection (b)—

(A) by striking the first subsection designation and all that follows through the end of subparagraph (B) of paragraph (2) and inserting the following:

''(b) AUTHORITY TO PROVIDE ASSISTANCE.—The Secretary is authorized to provide assistance to private nonprofit organizations to expand the supply of supportive housing for persons with disabilities, which shall be provided as—

''(1) capital advances in accordance with subsection (d)(1); and

''(2) contracts for project rental assistance in accordance with subsection (d)(2).''; and

(B) by striking ''assistance under this paragraph'' and inserting ''Assistance under this subsection'';

(2) in subsection (d), by striking paragraph (4); and

(3) in subsection (l), by striking paragraph (1).

(b) RENEWAL THROUGH SECTION 8.—Section 811 is amended by adding at the end the following new subsection:

''(p) AUTHORIZATION OF APPROPRIATIONS FOR SECTION 8 ASSISTANCE.—

''(1) IN GENERAL.—There is authorized to be appropriated for tenant-based rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) for persons with disabilities in fiscal year 2010 the amount necessary to provide a number of incremental vouchers under such section that is equal to the number of vouchers provided in fiscal year 2009 under the tenant-based rental assistance program under subsection (d)(4) of this section (as in effect before the date of the enactment of the Frank Melville Supportive Housing Investment Act of 2009).

''(2) REQUIREMENTS UPON TURNOVER.—The Secretary shall develop and issue, to public housing agencies that receive voucher assistance made available under this subsection and to public housing agencies that received voucher assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) for non-elderly disabled families pursuant to appropriation Acts for fiscal years 1997 through 2002 or any other subsequent appropriations for incremental vouchers for non-elderly disabled families, guidance to ensure that, to the maximum extent possible, such vouchers continue to be provided upon turnover to qualified persons with disabilities or to qualified non-elderly disabled families, respectively.''.

SEC. 3. MODERNIZED CAPITAL ADVANCE PROGRAM.

(a) PROJECT RENTAL ASSISTANCE CONTRACTS.—Section 811 is amended—

(1) in subsection (d)(2)—

(A) by inserting ''(A) INITIAL PROJECT RENTAL ASSISTANCE CONTRACT.—'' after ''PROJECT RENTAL ASSISTANCE.—'';

(B) in the first sentence, by inserting after ''shall'' the following: ''comply with subsection (e)(2) and shall'';

(C) by striking ''annual contract amount'' each place such term appears and inserting ''amount provided under the contract for each year covered by the contract''; and

(D) by adding at the end the following new subparagraph:

''(B) RENEWAL OF AND INCREASES IN CONTRACT AMOUNTS.—

''(i) EXPIRATION OF CONTRACT TERM.—Upon the expiration of each contract term, subject to the availability of amounts made available in appropriation Acts, the Secretary shall adjust the annual contract amount to provide for reasonable project costs, and any increases, including adequate reserves and service coordinators, except that any contract amounts not used by a project during a contract term shall not be available for such adjustments upon renewal.

''(ii) EMERGENCY SITUATIONS.—In the event of emergency situations that are outside the control of the owner, the Secretary shall increase the annual contract amount, subject to reasonable review and limitations as the Secretary shall provide.''.

(2) in subsection (e)(2)—

(A) in the first sentence, by inserting before the period at the end the following: '', except that, in the case of the sponsor of a project assisted with any low-income housing tax credit pursuant to section 42 of the Internal Revenue Code of 1986 or with any tax-exempt housing bonds, the contract shall have an initial term of not less than 360 months and shall provide funding for a term of 60 months''; and

(B) by striking ''extend any expiring contract'' and insert ''upon expiration of a contract (or any renewed contract), renew such contract''.

(b) PROGRAM REQUIREMENTS.—Section 811 is amended—

(1) in subsection (e)—

(A) by striking the subsection heading and inserting the following: ''PROGRAM REQUIREMENTS'';

(B) by striking paragraph (1) and inserting the following new paragraph:

''(1) USE RESTRICTIONS.—

''(A) TERM.—Any project for which a capital advance is provided under subsection (d)(1) shall be operated for not less than 40 years as supportive housing for persons with disabilities, in accordance with the application for the project approved by the Secretary and shall, during such period, be made available for occupancy only by very low-income persons with disabilities.

''(B) CONVERSION.—If the owner of a project requests the use of the project for the direct

benefit of very low-income persons with disabilities and, pursuant to such request the Secretary determines that a project is no longer needed for use as supportive housing for persons with disabilities, the Secretary may approve the request and authorize the owner to convert the project to such use.''; and

(C) by adding at the end the following new paragraphs:

''(3) LIMITATION ON USE OF FUNDS.—No assistance received under this section (or any State or local government funds used to supplement such assistance) may be used to replace other State or local funds previously used, or designated for use, to assist persons with disabilities.

''(4) MULTIFAMILY PROJECTS.—

''(A) LIMITATION.—Except as provided in subparagraph (B), of the total number of dwelling units in any multifamily housing project (including any condominium or cooperative housing project) containing any unit for which assistance is provided from a capital grant under subsection (d)(1) made after the date of the enactment of the Frank Melville Supportive Housing Investment Act of 2009, the aggregate number that are used for persons with disabilities, including supportive housing for persons with disabilities, or to which any occupancy preference for persons with disabilities applies, may not exceed 25 percent of such total.

''(B) EXCEPTION.—Subparagraph (A) shall not apply in the case of any project that is a group home or independent living facility.''; and

(2) in subsection (l), by striking paragraph (4).

(c) DELEGATED PROCESSING.—Subsection (g) of section 811 (42 U.S.C. 8013(g)) is amended—

(1) by striking ''SELECTION CRITERIA.—'' and inserting ''SELECTION CRITERIA AND PROCESSING.—(1) SELECTION CRITERIA.—'';

(2) by redesignating paragraphs (1), (2), (3), (4), (5), (6), and (7) as subparagraphs (A), (B), (C), (D), (E), (G), and (H), respectively;

(3) by adding at the end the following new paragraph:

''(2) DELEGATED PROCESSING.—

''(A) In issuing a capital advance under subsection (d)(1) for any multifamily project (but not including any project that is a group home or independent living facility) for which financing for the purposes described in the last sentence of subsection (b) is provided by a combination of the capital advance and sources other than this section, within 30 days of award of the capital advance, the Secretary shall delegate review and processing of such projects to a State or local housing agency that—

''(i) is in geographic proximity to the property;

''(ii) has demonstrated experience in and capacity for underwriting multifamily housing loans that provide housing and supportive services;

''(iii) may or may not be providing low-income housing tax credits in combination with the capital advance under this section; and

''(iv) agrees to issue a firm commitment within 12 months of delegation.

''(B) The Secretary shall retain the authority to process capital advances in cases in which no State or local housing agency has applied to provide delegated processing pursuant to this paragraph or no such agency has entered into an agreement with the Secretary to serve as a delegated processing agency.

''(C) An agency to which review and processing is delegated pursuant to subparagraph (A) may assess a reasonable fee which shall be included in the capital advance amounts and may recommend project rental assistance amounts in excess of those initially awarded by the Secretary. The Secretary shall develop a schedule for reasonable fees under this subparagraph to be paid to delegated processing agencies, which shall take into consideration any other fees to be paid to the agency for other funding provided to the project by the agency, including bonds, tax credits, and other gap funding.

''(D) Under such delegated system, the Secretary shall retain the authority to approve rents and development costs and to execute a capital advance within 60 days of receipt of the commitment from the State or local agency. The Secretary shall provide to such agency and the project sponsor, in writing, the reasons for any reduction in capital advance amounts or project rental assistance and such reductions shall be subject to appeal.''.

(d) LEVERAGING OTHER RESOURCES.—Paragraph (1) of section 811(g) (as so designated by subsection (c)(1) of this section) is amended by inserting after subparagraph (E) (as so redesignated by subsection (c)(2) of this section) the following new subparagraph:

''(F) the extent to which the per-unit cost of units to be assisted under this section will be supplemented with resources from other public and private sources;''.

(e) TENANT PROTECTIONS AND ELIGIBILITY FOR OCCUPANCY.—Section 811 is amended by striking subsection (i) and inserting the following new subsection:

''(i) ADMISSION AND OCCUPANCY.—

''(1) TENANT SELECTION.—

''(A) PROCEDURES.—An owner shall adopt written tenant selection procedures that are satisfactory to the Secretary as (i) consistent with the purpose of improving housing opportunities for very low-income persons with disabilities; and (ii) reasonably related to program eligibility and an applicant's ability to perform the obligations of the lease. Owners shall promptly notify in writing any rejected applicant of the grounds for any rejection.

''(B) REQUIREMENT FOR OCCUPANCY.—Occupancy in dwelling units provided assistance under this section shall be available only to persons with disabilities and households that include at least one person with a disability.

''(C) AVAILABILITY.—Except only as provided in subparagraph (D), occupancy in dwelling units in housing provided with assistance under this section shall be available to all persons with disabilities eligible for such occupancy without regard to the particular disability involved.

''(D) LIMITATION ON OCCUPANCY.—Notwithstanding any other provision of law, the owner of housing developed under this section may, with the approval of the Secretary, limit occupancy within the housing to persons with disabilities who can benefit from the supportive services offered in connection with the housing.

''(2) TENANT PROTECTIONS.—

''(A) LEASE.—The lease between a tenant and an owner of housing assisted under this section shall be for not less than one year, and shall contain such terms and conditions as the Secretary shall determine to be appropriate.

''(B) TERMINATION OF TENANCY.—An owner may not terminate the tenancy or refuse to renew the lease of a tenant of a rental dwelling unit assisted under this section except—

''(i) for serious or repeated violation of the terms and conditions of the lease, for violation of applicable Federal, State, or local law, or for other good cause; and

''(ii) by providing the tenant, not less than 30 days before such termination or refusal to renew, with written notice specifying the grounds for such action.

''(C) VOLUNTARY PARTICIPATION IN SERVICES.—A supportive service plan for housing assisted under this section shall permit each resident to take responsibility for choosing and acquiring their own services, to receive any supportive services made available directly or indirectly by the owner of such housing, or to not receive any supportive services.''.

(f) DEVELOPMENT COST LIMITATIONS.—Subsection (h) of section 811 is amended—

(1) in paragraph (1)—

(A) by striking the paragraph heading and inserting ''GROUP HOMES'';

(B) in the first sentence, by striking ''various types and sizes'' and inserting ''group homes'';

(C) by striking subparagraph (E); and

(D) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(2) in paragraph (3), by inserting ''established pursuant to paragraph (1)'' after ''cost limitation''; and

(3) by adding at the end the following new paragraph:

''(6) APPLICABILITY OF HOME PROGRAM COST LIMITATIONS.—

''(A) IN GENERAL.—The provisions of section 212(e) of this Act and the cost limits established by the Secretary pursuant to such section with respect to the amount of funds under subtitle A of title II of this Act that may be invested on a per unit basis, shall apply to supportive housing assisted with a capital advance under subsection (d)(1) and the amount of funds under such subsection that may be invested on a per unit basis.

''(B) WAIVERS.—The Secretary shall provide for waiver of the cost limits applicable pursuant to subparagraph (A)—

''(i) in the cases in which the cost limits established pursuant to section 212(e) of this Act may be waived; and

''(ii) to provide for—

''(I) the cost of special design features to make the housing accessible to persons with disabilities;

''(II) the cost of special design features necessary to make individual dwelling units meet the special needs of persons with disabilities; and

''(III) the cost of providing the housing in a location that is accessible to public transportation and community organizations that provide supportive services to persons with disabilities.''.

(g) REPEAL OF AUTHORITY TO WAIVE SIZE LIMITATIONS.—Subsection (k) of section 811 is amended—

(1) in paragraph (1), by striking the second sentence; and

(2) in paragraph (4), by striking ''(or such higher number of persons'' and all that follows through ''subsection (h)(6))''.

(h) MINIMUM ALLOCATION FOR MULTIFAMILY PROJECTS.—Subsection (l) of section 811, as amended by the preceding provisions of this Act, is further amended by inserting before paragraph (2) the following new paragraph:

''(1) MINIMUM ALLOCATION FOR MULTIFAMILY PROJECTS.—The Secretary shall establish a minimum percentage of the amount made available for each fiscal year for capital advances under subsection (d)(1) that shall be used for multifamily projects subject to subsection (e)(4).''.

SEC. 4. PROJECT RENTAL ASSISTANCE COMPETITIVE DEMONSTRATION PROGRAM.

Section 811, as amended by the preceding provisions of this Act, is further amended—

(1) by redesignating subsections (k) through (n) as subsections (l) through (o), respectively; and

(2) by inserting after subsection (j) the following new subsection:

''(k) PROJECT RENTAL ASSISTANCE-ONLY COMPETITIVE DEMONSTRATION PROGRAM.—

''(1) AUTHORITY.—The Secretary shall carry out a demonstration program under this subsection to expand the supply of supportive

housing for non-elderly adults with disabilities, under which the Secretary shall make funds available for project rental assistance pursuant to paragraph (2) for eligible projects under paragraph (3). The Secretary shall provide for State housing finance agencies and other appropriate entities to apply to the Secretary for such project rental assistance funds, which shall be made available by such agencies and entities for dwelling units in eligible projects based upon criteria established by the Secretary for the demonstration program under this subsection. The Secretary may not require any State housing finance agency or other entity applying for project rental assistance funds under the demonstration program to identify in such application the eligible projects for which such funds will be used, and shall allow such agencies and applicants to subsequently identify such eligible projects pursuant to the making of commitments described in paragraph (3)(B).

''(2) PROJECT RENTAL ASSISTANCE.—

''(A) CONTRACT TERMS.—Project rental assistance under the demonstration program under this subsection shall be provided—

''(i) in accordance with subsection (d)(2); and

''(ii) under a contract having an initial term of not less than 180 months that provides funding for a term 60 months, which funding shall be renewed upon expiration, subject to the availability of sufficient amounts in appropriation Acts.

''(B) LIMITATION ON UNITS ASSISTED.—Of the total number of dwelling units in any multifamily housing project containing any unit for which project rental assistance under the demonstration program under this subsection is provided, the aggregate number that are provided such project rental assistance, that are used for supportive housing for persons with disabilities, or to which any occupancy preference for persons with disabilities applies, may not exceed 25 percent of such total.

''(C) PROHIBITION OF CAPITAL ADVANCES.—The Secretary may not provide a capital advance under subsection (d)(1) for any project for which assistance is provided under the demonstration program.

''(D) ELIGIBLE POPULATION.—Project rental assistance under the demonstration program under this subsection may be provided only for dwelling units for extremely low-income persons with disabilities and extremely low-income households that include at least one person with a disability.

''(3) ELIGIBLE PROJECTS.—An eligible project under this paragraph is a new or existing multifamily housing project for which—

''(A) the development costs are paid with resources from other public or private sources; and

''(B) a commitment has been made—

''(i) by the applicable State agency responsible for allocation of low-income housing tax credits under section 42 of the Internal Revenue Code of 1986, for an allocation of such credits;

''(ii) by the applicable participating jurisdiction that receives assistance under the HOME Investment Partnership Act, for assistance from such jurisdiction; or

''(iii) by any Federal agency or any State or local government, for funding for the project from funds from any other sources.

''(4) STATE AGENCY INVOLVEMENT.—Assistance under the demonstration may be provided only for projects for which the applicable State agency responsible for health and human services programs, and the applicable State agency designated to administer or supervise the administration of the State plan for medical assistance under title XIX of the Social Security Act, have entered into such agreements as the Secretary considers appropriate—

''(A) to identify the target populations to be served by the project;

''(B) to set forth methods for outreach and referral; and

''(C) to make available appropriate services for tenants of the project.

''(5) USE REQUIREMENTS.—In the case of any project for which project rental assistance is provided under the demonstration program under this subsection, the dwelling units assisted pursuant to paragraph (2) shall be operated for not less than 30 years as supportive housing for persons with disabilities, in accordance with the application for the project approved by the Secretary, and such dwelling units shall, during such period, be made available for occupancy only by persons and households described in paragraph (2)(D).

''(6) REPORT.—Upon the expiration of the 5-year period beginning on the date of the enactment of the Frank Melville Supportive Housing Investment Act of 2009, the Secretary shall submit to the Congress a report describing the demonstration program under this subsection, analyzing the effectiveness of the program, including the effectiveness of the program compared to the program for capital advances in accordance with subsection (d)(1) (as in effect pursuant to the amendments made by such Act), and making recommendations regarding future models for assistance under this section based upon the experiences under the program.''.

SEC. 5. TECHNICAL CORRECTIONS.

Section 811 is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2)—

(i) by striking ''provides'' and inserting ''makes available''; and

(ii) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(3) promotes and facilitates community integration for people with significant and long-term disabilities.'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''special'' and inserting ''housing and community-based services''; and

(B) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

''(A) make available voluntary supportive services that address the individual needs of persons with disabilities occupying such housing;''; and

(ii) in subparagraph (B), by striking the comma and inserting a semicolon;

(3) in subsection (d)(1), by striking ''provided under'' and all that follows through ''shall bear'' and inserting ''provided pursuant to subsection (b)(1) shall bear'';

(4) in subsection (f)—

(A) in paragraph (3)—

(i) in subparagraph (B), by striking ''receive'' and inserting ''be offered'';

(ii) by striking subparagraph (C) and inserting the following:

''(C) evidence of the applicant's experience in—

''(i) providing such supportive services; or

''(ii) creating and managing structured partnerships with service providers for the delivery of appropriate community-based services;'';

(iii) in subparagraph (D), by striking ''such persons'' and all that follows through ''provision of such services'' and inserting ''tenants''; and

(iv) in subparagraph (E), by inserting ''other Federal, and'' before ''State''; and

(B) in paragraph (4), by striking ''special'' and inserting ''housing and community-based services'';

(5) in subsection (g), in paragraph (1) (as so redesignated by section 3(c)(1) of this Act)—

(A) in subparagraph (D) (as so redesignated by section 3(c)(2) of this Act), by striking ''the necessary supportive services will be provided'' and inserting ''appropriate supportive services will be made available''; and

(B) by striking subparagraph (E) (as so redesignated by section 3(c)(2) of this Act) and inserting the following:

''(E) the extent to which the location and design of the proposed project will facilitate the provision of community-based supportive services and address other basic needs of persons with disabilities, including access to appropriate and accessible transportation, access to community services agencies, public facilities, and shopping;'';

(6) in subsection (j)—

(A) by striking paragraph (4); and

(B) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively;

(7) in subsection (l) (as so redesignated by section 4(1) of this Act)—

(A) in paragraph (1), by inserting before the period at the end of the first sentence the following: '', which provides a separate bedroom for each tenant of the residence'';

(B) by striking paragraph (2) and inserting the following:

''(2)(A) The term 'person with disabilities' means a person who is 18 years of age or older and less than 62 years of age, who—

''(i) has a disability as defined in section 223 of the Social Security Act;

''(ii) is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment which—

''(I) is expected to be of long-continued and indefinite duration;

''(II) substantially impedes his or her ability to live independently; and

''(III) is of such a nature that such ability could be improved by more suitable housing conditions; or

''(iii) has a developmental disability as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000.

''(B) Such term shall not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. Notwithstanding any other provision of law, no individual shall be considered a person with disabilities, for purposes of eligibility for low-income housing under this title, solely on the basis of any drug or alcohol dependence. The Secretary shall consult with other appropriate Federal agencies to implement the preceding sentence.

''(C) The Secretary shall prescribe such regulations as may be necessary to prevent abuses in determining, under the definitions contained in this paragraph, the eligibility of families and persons for admission to and occupancy of housing assisted under this section. Notwithstanding the preceding provisions of this paragraph, the term 'person with disabilities' includes two or more persons with disabilities living together, one or more such persons living with another person who is determined (under regulations prescribed by the Secretary) to be important to their care or well-being, and the surviving member or members of any household described in subparagraph (A) who were living, in a unit assisted under this section, with the deceased member of the household at the time of his or her death.'';

(C) by striking paragraph (3) and inserting the following new paragraph:

''(3) The term 'supportive housing for persons with disabilities' means dwelling units that—

''(A) are designed to meet the permanent housing needs of very low-income persons with disabilities; and

''(B) are located in housing that make available supportive services that address the individual health, mental health, or other needs of such persons.'';

(D) in paragraph (5), by striking ''a project for''; and

(E) in paragraph (6)—

(i) by inserting after and below subparagraph (D) the matter to be inserted by the amendment made by section 841 of the American Homeownership and Economic Opportunity Act of 2000 (Public Law 106–569; 114 Stat. 3022); and

(ii) in the matter inserted by the amendment made by clause (i) of this subparagraph, by striking ''wholly owned and''; and

(8) in subsection (m) (as so redesignated by section 4(1) of this Act)—

(A) in paragraph (2), by striking ''subsection (c)(1)'' and inserting ''subsection (d)(1)''; and

(B) in paragraph (3), by striking ''subsection (c)(2)'' and inserting ''subsection (d)(2)''.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Subsection (n) of section 811 (as so redesignated by section 4(1) of this Act) is amended to read as follows:

''(n) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2010 through 2014 the following amounts:

''(1) CAPITAL ADVANCE/PRAC PROGRAM.—For providing assistance pursuant to subsection (b), such sums as may be necessary.

''(2) DEMONSTRATION PROGRAM.—For carrying out the demonstration program under subsection (k), such sums as may be necessary to provide 2,500 incremental dwelling units under such program in each of fiscal years 2010 and 2011 and 5,000 incremental dwelling units under such program in each of fiscal years 2012, 2013, and 2014.''.

SEC. 7. NEW REGULATIONS AND PROGRAM GUIDANCE.

Not later than the expiration of the 180-day period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall issue new regulations and guidance for the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) for supportive housing for persons with disabilities to carry out such program in accordance with the amendments made by this Act.

SEC. 8. GAO STUDY.

The Comptroller General of the United States shall conduct a study of the supportive housing for persons with disabilities program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) to determine the adequacy and effectiveness of such program in assisting households of persons with disabilities. Such study shall determine—

(1) the total number of households assisted under such program;

(2) the extent to which households assisted under other programs of the Department of Housing and Urban Development that provide rental assistance or rental housing would be eligible to receive assistance under such section 811 program; and

(3) the extent to which households described in paragraph (2) who are eligible for, but not receiving, assistance under such section 811 program are receiving supportive services from, or assisted by, the Department of Housing and Urban Development other than through the section 811 program (including under the Resident Opportunity and Self-Sufficiency program) or from other sources.

Upon the completion of the study required under this section, the Comptroller General shall submit a report to the Congress setting forth the findings and conclusions of the study.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. GRAYSON) and the gentleman from Florida (Mr. POSEY) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. GRAYSON).

GENERAL LEAVE

Mr. GRAYSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Mr. GRAYSON. Mr. Speaker, I yield myself 1 minute.

I rise to bring H.R. 1675, the Frank Melville Supportive Housing Investment Act of 2009, up for consideration.

I am happy to support H.R. 1675 which would reauthorize and reform section 811 of the Department of Housing and Urban Development. In doing so, this bill will allow for Federal funds to be used to leverage additional funding to build more housing units for low-income, disabled individuals.

Mr. Speaker, I yield the balance of my time to the gentleman from Connecticut (Mr. MURPHY) and I ask unanimous consent that he be permitted to control that time.

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

There was no objection.

Mr. MURPHY of Connecticut. I yield myself such time as I may consume.

Mr. Speaker, I would like to thank Representative GRAYSON for his graciousness in allowing me to control the time on this bill.

As he mentioned, this bill is the Frank Melville Supportive Housing Investment Act of 2009. This bill is a reauthorization and improvement of our Nation's existing section 811 supportive housing program. This House passed a nearly identical bill last year. It unfortunately didn't get past the United States Senate. So we reintroduced it and hope to see it through the full extent of the process this year.

Before I talk a little bit about the underlying bill and the importance of the issue which it addresses, let me thank a few people. First, Chairman FRANK and Subcommittee Chairwoman WATERS have been instrumental over the last 7 years in helping us bring this very important bill to the floor, as well as Ranking Member CAPITO on the Republican side. But really the largest thanks is to my cosponsor in this legislation, Representative BIGGERT of Illinois. She has, for the full extent of her career, been a supporter of supportive housing, which I will describe as our Nation's most important housing program for individuals with physical and mental disabilities. I'm really honored to have been able to cosponsor this legislation with Representative BIGGERT and am very pleased that it's back before the House today.

Mr. Speaker, what is the 811 program? The 811 program is this Nation's supportive housing program that allows for Federal funds to be used to build supportive housing for individuals with physical and mental disabilities. It is a program which has meant a great deal to an unfortunately limited number of individuals that have benefited from it.

What is supportive housing? Supportive housing, very simply, is housing for individuals that have certain disabilities that allows them to live independently on their own leading full, productive lives in the communities with a small amount of community support around them. A unit of supportive housing, either on site or in the community, will have connected to it the job skills, the social work, the medication-adherence individuals and support services that are necessary for people that have complex physical or complex mental illness to be able to live on their own. These people can live in the community; they just need a little bit of help to do it.

The measure of this government, the measure of this Nation is how we treat those amongst us who, through no fault of their own, have been born with a certain illness—whether it be mental or physical—that doesn't give them the access to the apparatus of opportunity the rest of us have. Supportive housing, which gives that fundamental life building block—a roof over your head, a bed to sleep in at night—to those individuals is one of the most important things that we can do as a compassionate Nation.

The problem is that over the course of the last 5 to 10 years, the 811 program just has not been working. HUD tells us that there are 1.3 million individuals with disabilities in this country who are living in substandard housing. The 811 program, over the last several years, has only built about a thousand new units despite all of the resources that it has. And it is taking right now upwards of 6 years for a supportive housing project funded with 811 dollars to move from the application stage to the completion stage. This is unacceptable. Representative BIGGERT has been a great spokesperson for this for years, and the culmination of her work and the advocacy community's work is this legislation.

This bill fixes the 811 program as well as reauthorizes it. It does this in a number of ways. First, it takes all of the vouchers that have traditionally been used to fund individuals who are looking for supportive housing, it takes those vouchers, which have been very inefficiently administered by the

811 program, and moves them to the broader section 8 program. The section 8 program is much better equipped to track these vouchers and make sure they are actually being used by people with disabilities. That has been a big problem through that program within the section 811 program.

That money that is now freed up by moving those vouchers over into the section 8 program is now going to be used to build new units. That's really what we need to do here. We need to build more capacity in the system—1.3 million living in inappropriate living; we need more of it for them.

It also will use that money in more creative ways. Instead of just building a full apartment complex with supportive housing in it, it's now going to work with developers who might have affordable housing projects currently underway to have them build in to that complex two or three or four or five units of supportive housing to allow for more scattered site housing throughout the community leveraging existing affordable housing projects to build in scattered site supportive housing projects.

And lastly, it cuts a lot of the red tape and bureaucracy that has restrained applications from moving forward, chiefly by allowing State affordable housing agencies to do a lot of the bureaucratic work that right now is being performed by Housing and Urban Development here in Washington, D.C. We think that through the passage of this Act, we can triple the number of supportive housing units that are built across the country with this 811 program. And I think by doing so, we will do justice by the individual whose name is on this Act.

Mr. Speaker, this Act is called the Frank Melville Supportive Housing Investment Act. Frank Melville was a constituent of mine. He and his widowed wife, Ellen, started the Melville Charitable Trust which funds much of the affordable housing and supportive housing advocacy work in the Northeast and throughout this country. Frank Melville is no longer with us, but this bill—which we hope to pass today and bring to the Senate for its consideration—does justice to his legacy.

I commend this bill to the House for passage. I think it is going to do so much to live up to the initial promise of this Nation's commitment to individuals with physical and mental disabilities.

I reserve the balance of my time.

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

Mr. Speaker, unfortunately Congresswoman BIGGERT is unable to be here today, but I would like to take this opportunity to recognize her work on this legislation.

As an original cosponsor, I know she has worked hard to ensure that the section 811 program continues to be an effective solution to the housing needs of very low-income persons with disabilities.

There are nearly 4 million non-elderly, disabled adults in the United States that are in need of housing assistance. The section 811 program is the only Federal program that allows persons with disabilities to live independently in the community by increasing the supply of affordable rental housing with the availability of supportive services.

H.R. 1675 restructures the section 811 program in a way that provides for a continued creation of permanent supportive housing and provides rental assistance that would make housing affordable for very low-income individuals with disabilities.

This bill will improve the section 811 disabled housing program by streamlining and simplifying the development of HUD section 811 properties and makes changes to the program to encourage integration and mixed-use developments, such as low-income housing tax credits and HOME program funds. This legislation is identical to H.R. 5772, which passed the House during the 110th Congress.

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

Mr. MURPHY of Connecticut. Mr. Speaker, just briefly to close. In Connecticut during the course of my work in the State legislature, a lot of us would occasionally don a button that said ''keep the promise.'' That was a reminder to us that when we deinstitutionalized those with mental illness, that we had a promise to them to make sure that they had humane and responsible housing in the community. This bill I think does just that. It helps us keep that promise to those people living with mental and physical disability that we are going to find them appropriate and supportive housing in the community.

I thank Representative POSEY for his support and Representative BIGGERT for her advocacy.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. GRAYSON) that the House suspend the rules and pass the bill, H.R. 1675.

The question was taken.

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

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

The yeas and nays were ordered.

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

NEW FRONTIER CONGRESSIONAL GOLD MEDAL ACT

Mr. GRAYSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2245) to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. ''Buzz'' Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2245

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 ''New Frontier Congressional Gold Medal Act''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) as spacecraft commander for Apollo 11, the first manned lunar landing mission, Neil A. Armstrong gained the distinction of being the first man to land a craft on the moon and first to step on its surface on July 21, 1969;

(2) by conquering the moon at great personal risk to safety, Neil Armstrong advanced America scientifically and technologically, paving the way for future missions to other regions in space;

(3) Edwin E. ''Buzz'' Aldrin, Jr., joined Armstrong in piloting the lunar module, Eagle, to the surface of the moon, and became the second person to walk upon its surface;

(4) Michael Collins piloted the command module, Columbia, in lunar orbit and helped his fellow Apollo 11 astronauts complete their mission on the moon;

(5) John Herschel Glenn, Jr., helped pave the way for the first lunar landing when on February 20, 1962, he became the first American to orbit the Earth; and

(6) John Glenn's actions, like Armstrong's, Aldrin's and Collins's, continue to greatly inspire the people of the United States.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of the Congress, to Neil A. Armstrong, Edwin E. ''Buzz'' Aldrin, Jr., Michael Collins, and John Herschel Glenn, Jr., each a gold medal of appropriate design, in recognition of their significant contributions to society.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury shall strike gold medals with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

The Secretary of the Treasury may strike and sell duplicates in bronze of the gold medal struck pursuant to section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medals.

SEC. 5. NATIONAL MEDALS.

The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund, such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 4 shall be deposited

into the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. GRAYSON) and the gentleman from Florida (Mr. POSEY) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. GRAYSON).

GENERAL LEAVE

Mr. GRAYSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

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

Today we mark and celebrate the 40th anniversary of the Apollo 11 landing on the Moon on July 20, 1969. On that date, an 11-year-old boy stayed in a hotel room in San Juan, Puerto Rico, all day long—while his parents went to St. Thomas with his sister—and watched in awe to see mankind take this enormous step forward. That 11-year-old boy was me. And if somebody had said to me at the time, One day you will be standing in Congress and celebrating this day, marking this day, I would have said what every other 11-year-old boy would say, Oh, come on. That's ridiculous.

But here we are celebrating this day, marking this day explaining what it means to all of us in conveying a Congressional Gold Medal to Neil Armstrong, Buzz Aldrin, Michael Collins, and John Glenn, the first American—and the third human being—to orbit the Earth. Certainly this was the greatest technological achievement of any time, anywhere on this planet by human beings.

But for many of us, it was more than that. For many of us it was the most important moment of our lives.

Think about it. What would you choose as the most important moment of your life? For some of us it would be the fall of the Berlin Wall; for others, it might be the election of Nelson Mandela to lead South Africa and end apartheid in that country; and for sure for others it would mean the election of Barack Obama as the first black President of the United States.

But for many of us, it would mean that time, 40 years ago today, when men landed on the Moon and for the first time, and the only time, in our history visited our celestial neighbor. That's exciting, and it's good to look back on that time and to ask ourselves what led to that moment.

Everybody attributes that moment to President Kennedy, the leader of the new frontier. President Kennedy used these words to spur us to take this action. He said as follows: ''We choose to go to the Moon in this decade and do other things, not because they are easy, but because they are hard, because that goal will serve to organize and measure the best of our energies and skills, because that challenge is one that we are willing to accept, one that we are unwilling to postpone, and one which we intend to win.

''Many years ago, the great British Explorer George Mallory, who was to die on Mount Everest, was asked why did he want to climb it.

□ 1700

''He said, 'Because it is there.' Well, space is there,'' Kennedy told us, ''and we're going to climb it, and the Moon and the planets are there, and new hopes for knowledge and peace are there.

''And, therefore, as we set sail,'' Kennedy said, ''we ask God's blessing on the most hazardous and dangerous and greatest adventure on which man has ever embarked.''

That's what President Kennedy said, that this was the greatest adventure on which man has ever embarked, and he was right. These astronauts, these brave three, they crossed dead space for almost a quarter of 1 million miles. They landed with less than 25 seconds of fuel remaining when they finally reached the Moon, and when they reached that Moon, they were only there for 21½ hours. Their moonwalk was only 2 hours and 37 minutes. They brought back a mere 47 pounds of Moon rock, but they inspired everyone on this planet. One-fifth of all of this planet was watching at that moment on TV. One out of every five human beings. That's pretty good ratings, Mr. Speaker.

And when the landing occurred, what we heard was the following: ''The Eagle has landed.'' The eagle meaning the American eagle, because this was an assertion of our superiority as a Nation, our fortitude, our determination, our discipline, and our resourcefulness. That's what led us across that deep space in only 8 years from the first time when President Kennedy set forth this goal to the time that we actually landed on the Moon. ''The Eagle has landed.'' The American eagle has landed.

But then during the moonwalk, we heard another theme. When Mr. Armstrong first put his foot down on the Moon, when Neil Armstrong put his foot down on the Moon he said the following: ''One small step for man, one giant leap for mankind.'' Not just Americans, but all mankind.

And when these brave explorers left behind their inscription, the inscription said something very important: ''We came in peace, for all mankind.''

And when Buzz Aldrin was returning, the day before the flight actually landed back on the Earth, he said the following: ''This stands as a symbol of the insatiable curiosity of all mankind to explore the unknown.''

So on that day 40 years ago we learned a lot about ourselves. We learned a lot about what kind of people human beings really are. The first thing we learned is that in our heart we are explorers. We have that spark to see what's on the other side of that hill and then go and find it, and that spark is what led us 50,000 years ago to cross as far as Australia all the way from Africa. And 15,000 years ago one of my ancestors went as far as eastern Siberia in the midst of the Ice Age. And now, today, we see it's possible to explore this whole planet, and that just makes us want to explore other areas as well.

I have visited 175 countries myself. I have that urge to see, to explore, to look beyond the next hill, and it's what makes us human beings. Wolves howl at the Moon; human beings go there.

And we've also learned that these challenges that we pose for ourselves, these goals that we have for ourselves, we reap rewards from just seeking those goals, from pursuing those goals. In this case, NASA developed integrated circuits which led to the modern computer age. They developed computer-directed machining, which is used throughout manufacturing today, including in computers. And they developed fuel cells, which could very well be the key to our energy future. And all of that was done through the Apollo program for less than $150 billion in today's money, which is actually less than, in many cases, the costs of the war in Iraq for 1 year.

We've also learned something else important about it. When we visited the Moon, we looked back on the Earth, and we have in that day 40 years ago the roots of the environmental movement. Earth Day was first celebrated barely 9 months later on April 22, 1970, because when we went to the Moon and we looked back on the Earth, we saw ourselves. We recognized how fragile the Earth really is.

And Joni Mitchell best captured that in a song that she sang, these words from her song, ''Refuge of the Roads.'' She wrote:

''In a highway service station, over the month of June was a photograph of the Earth, taken coming back from the Moon.

''And you couldn't see the city, on that marbled bowling ball, or a forest, or a highway, or me here least of all.''

And so we recognize in that moment, when we looked at the entire Earth, the entire planet, we didn't see individuals, we saw all of us, and it created a newfound respect for the environment.

But beyond that, we reached the realization that we're only beginning to appreciate right now 40 years later, and that realization is this. We are one planet; we are one people. This is not a planet of blacks versus whites; we are one. This is not a planet of men versus women; we are one. This is not a planet of the young versus the old; we are one. We are one species, one set of human beings, one people, proud of our accomplishments, this above all, to visit the Moon.

And when we return to the Moon, as we're scheduled to do 10 years from now, I hope that we'll say not just,

''One small step for man, one giant leap for mankind,'' but I hope we'll say, ''Today the Moon, tomorrow the stars.''

I reserve the balance of my time.

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

Mr. Speaker, I would like to commend Representative GRAYSON and the nearly 300 cosponsors of H.R. 2245, the New Frontier Congressional Gold Medal Act. As we know, this legislation authorizes the President, on behalf of Congress, to issue gold medals to Neil Armstrong, Edwin ''Buzz'' Aldrin, Michael Collins and John Glenn in recognition of their accomplishments, and pave the way for future missions.

As we celebrate the 40th anniversary of the Moon landing, we recognize President Kennedy's vision to support the great explorers of our lifetime, like the Christopher Columbuses, the Magellans and the Marco Polos before them. President Kennedy proved to the world that the free enterprise system of the United States of America would outperform the socialist Soviet Union in the international challenge of landing a man on the Moon and returning him safely to Earth.

One of the highlights of my life was the opportunity to work on the Apollo program as a young man when McDonnell Douglas was the contractor for the third stage. What a privilege it was to work alongside the thousands of men and women who helped make that historic achievement possible.

And you know, from a personal perspective I will always cherish this little medallion that they gave each member of the launch team, the metal part of which was carried to the Moon and back by the Apollo 11 astronauts.

You know, it's one of those points in time where everyone old enough to be aware of their surroundings knows where they were when man took that historic first step. It was before, as Congressman GRAYSON said, the largest viewing audience in history. I was holding up my 3-month-old daughter in front of the TV so that she might some day be the last person living to have witnessed that historic thing. Just what a marvelous event it was for all.

Let us remember also that their legacy continues in today's exemplary space shuttle workforce, those who safely and efficiently worked to ensure the completion of the shuttle's remaining flight manifest. As we hear many times, America's space program is the only thing for which the United States is undeniably, unequivocally, and universally respected for around this globe.

We sometimes take for granted the thousands of technological spinoffs we enjoy from space exploration, but let us take a moment to recognize the explorers of our lifetime and appreciate how all of us have been inspired by their pursuits and benefited from America's advances in space.

Hopefully we will continue to maintain the leading edge in space under the leadership of President Obama.

I yield back my time, Mr. Speaker.

Mr. GRAYSON. Mr. Speaker, I want to note that what the accomplishment was here was to make America number one in space exploration, and I look forward to the time when we are number one in health care, when we are number one in education, when we are number one in meeting our human needs and making a 21st-century workforce.

The thing that inspired people from President Kennedy's words was the desire to be number one, and that's something that we can and will accomplish, not only in this particular part of human endeavor but across the board.

Mr. GORDON of Tennessee. Mr. Speaker, it is an honor to support H.R. 2245, the ''New Frontier Congressional Gold Medal Act'', which authorizes the President to award Congressional Gold Medals to Neil A. Armstrong, Buzz Aldrin, Michael Collins, and John Herschel Glenn, Jr., who took great risks to lead our nation and society to new frontiers in outer space.

Historic moments in space exploration, such as the 40th anniversary of the first lunar landing by humans that we are celebrating this week, and the first orbiting of the Earth by an American, inspired a generation of young people to devote their careers and lives to the scientific and human exploration of outer space and created a multiplier effect that has benefited American society, including our educational system, our economy, and our national security.

The Apollo 11 mission of Neil Armstrong, Buzz Aldrin and Michael Collins and the pathfinding Mercury mission of John Glenn continue to spark the excitement and anticipation of what is possible for our nation as explorers of outer space.

Mr. Speaker, the Congressional Gold Medal is a fitting recognition of the unique and lasting imprint that these gentlemen have made on society, and I am pleased that so many of my colleagues in Congress have joined together in their support.

I thank the gentleman from Florida, Mr. GRAYSON, for his leadership in introducing this bill.

Ms. GIFFORDS. Mr. Speaker, today Congress is considering legislation to honor the Astronauts of Apollo 11 and Mercury Astronaut John Glenn with the Congressional Gold Medal, and as a proud cosponsor, I rise to urge support of this bill to recognize the trailblazing accomplishments of these brave American heroes.

Their courage and the success of their missions have become symbols of what we as Americans can accomplish when we come together and put all of our energy and hard work into reaching a goal in which we all believe.

The launch of Sputnik in 1957 initiated the Space Race of the 1960s between the United States and the Soviet Union. Just 12 years later, this Space Race culminated with Apollo 11's historic touchdown on the Moon's Sea of Tranquility in July of 1969.

Even though NASA and the goal of landing men on the Moon were in some sense directly inspired by Cold War rivalries, the Apollo 11 lunar landings and John Glenn's orbital flight became a means of uniting all of us here on Earth in a collective adventure of humanity.

Moreover, the lessons learned and the technology developed for John Glenn's orbital flight and the flight of Apollo 11 to the Moon spawned countless advances which have directly contributed to a better quality of life here on Earth.

In the decades since, many important technologies can be traced back to our space program. For even though the goal landing humans on the Moon had been attained, NASA went on to undertake world-leading research and development initiatives in Earth and space science, aeronautics, and human space flight.

Yet, ultimately it comes down to people—hard-working, dedicated men and women who made it all possible.

That is why I am pleased to join my colleagues in support of legislation to bestow one of the nations highest honors, the Congressional Gold Medal, to Neil Armstrong, Buzz Aldrin, Michael Collins, and John Glenn.

In closing, I want to commend Representative GRAYSON for introducing this bill, and I urge Members to pass it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. GRAYSON) that the House suspend the rules and pass the bill, H.R. 2245.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 5 o'clock and 10 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1832

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. HALVORSON) at 6 o'clock and 32 minutes p.m.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. FLAKE. Madam Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Whereas, The Hill reported that a prominent lobbying firm, founded by Mr. Paul Magliocchetti and the subject of a ''federal investigation into potentially corrupt political contributions,'' has given $3.4 million in political donations to no less than 284 members of Congress.

Whereas, the New York Times noted that Mr. Magliocchetti ''set up shop at the busy intersection between political fund-raising and taxpayer spending, directing tens of millions of dollars in contributions to lawmakers while steering hundreds of millions of dollars in earmarks contracts back to his clients.''

Whereas, a guest columnist recently highlighted in Roll Call that ''. . . what [the firm's] example reveals most clearly is the potentially corrupting link between campaign contributions and earmarks. Even the most ardent earmarkers should want to avoid the appearance of such a pay-to-play system.''

Whereas, multiple press reports have noted questions related to campaign contributions made by or on behalf of the firm; including questions related to ''straw man'' contributions, the reimbursement of employees for political giving, pressure on clients to give, a suspicious pattern of giving, and the timing of donations relative to legislative activity.

Whereas, Roll Call has taken note of the timing of contributions from employees the firm and its clients when it reported that they ''have provided thousands of dollars worth of campaign contributions to key Members in close proximity to legislative activity, such as the deadline for earmark request letters or passage of a spending bill.''

Whereas, the Associated Press highlighted the ''huge amounts of political donations'' from the firm and its clients to select members and noted that ''those political donations have followed a distinct pattern: The giving is especially heavy in March, which is prime time for submitting written earmark requests.''

Whereas, clients of the firm received at least three hundred million dollars worth of earmarks in fiscal year 2009 appropriations legislation, including several that were approved even after news of the FBI raid of the firm's offices and Justice Department investigation into the firm was well known.

Whereas, after a cursory review, the fiscal year 2010 defense appropriations earmark list recently made available includes at least seventy earmarks worth hundreds of millions of dollars for former PMA clients.

Whereas, the Associated Press reported that ''the FBI says the investigation is continuing, highlighting the close ties between special-interest spending provisions known as earmarks and the raising of campaign cash.''

Whereas, the persistent media attention focused on questions about the nature and timing of campaign contributions related to the firm, as well as reports of the Justice Department conducting research on earmarks and campaign contributions, raise concern about the integrity of Congressional proceedings and the dignity of the institution.

Now, therefore, be it: Resolved, That the Committee on Standards of Official Conduct shall immediately establish an investigative subcommittee and begin an investigation into the relationship between the source and timing of past campaign contributions to Members of the House related to the raided firm and earmark requests made by Members of the House on behalf of clients of the raided firm.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Arizona will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Approval of the Journal;

H. Res. 607; and

H.R. 2245, each by the yeas and nays.

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

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 233, nays 159, not voting 41, as follows:

[Roll No. 593]

YEAS—233

Abercrombie
Ackerman
Andrews
Baca
Bachmann
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boyd
Brady (PA)
Braley (IA)
Brown-Waite, Ginny
Butterfield
Capito
Capps
Cardoza
Carnahan
Carson (IN)
Carter
Castle
Castor (FL)
Chaffetz
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Fudge
Gerlach
Gonzalez
Goodlatte
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E.B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Lance
Langevin
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Mack
Maffei
Markey (MA)
Marshall
Massa
Matheson
Matsui
McClintock
McCollum
McDermott
McGovern
McIntyre
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Perriello
Peters
Pingree (ME)
Pitts
Polis (CO)
Pomeroy
Posey
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Simpson
Skelton
Slaughter
Smith (NJ)
Snyder
Space
Speier
Spratt
Sutton
Tanner
Taylor
Teague
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Yarmuth

NAYS—159

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Arcuri
Austria
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boustany
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Carney
Cassidy
Chandler
Childers
Coble
Coffman (CO)
Cole
Connolly (VA)
Culberson
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Ellsworth
Emerson
Etheridge
Fallin
Flake
Fleming
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gingrey (GA)
Granger
Graves
Guthrie
Hall (TX)
Hastings (WA)
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
LaTourette
Latta
Lee (NY)
Linder
LoBiondo
Luetkemeyer
Lummis
Lungren, Daniel E.
Markey (CO)
McCarthy (CA)
McCaul
McCotter
McHenry
McHugh
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Pence
Peterson
Petri
Platts
Poe (TX)
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Shadegg
Shimkus
Shuler
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiahrt
Upton
Walden
Wamp
Westmoreland

Whitfield
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—41

Barrett (SC)
Boswell
Boucher
Brady (TX)
Bright
Brown, Corrine
Capuano
Conaway
Conyers
Costa
Crenshaw
Davis (AL)
Davis (IL)
Forbes
Gohmert
Grijalva
Gutierrez
Hinchey
Johnson (IL)
Kirk
Larsen (WA)
Lewis (CA)
Lucas
Maloney
Manzullo
Marchant
McCarthy (NY)
McKeon
Moran (VA)
Rohrabacher
Sanchez, Loretta
Sessions
Sestak
Sires
Smith (WA)
Stark
Tiberi
Towns
Turner
Wasserman Schultz
Wittman

□ 1900

Messrs. STEARNS, THOMPSON of California, Ms. MARKEY of Colorado, Messrs. BOCCIERI, SOUDER, KRATOVIL and KING of Iowa changed their vote from ''yea'' to ''nay.''

Messrs. LEVIN, CROWLEY and SPRATT changed their vote from ''nay'' to ''yea.''

So the Journal was approved.

The result of the vote was announced as above recorded.

CELEBRATING 40TH ANNIVERSARY OF APOLLO 11 MOON LANDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 607, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. LUJÁN) that the House suspend the rules and agree to the resolution, H. Res. 607.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 0, not voting 43, as follows:

[Roll No. 594]

YEAS—390

Abercrombie
Ackerman
Aderholt
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
Boyd
Brady (PA)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Cooper
Costello
Courtney
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tierney
Titus
Tonko
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—43

Barrett (SC)
Boswell
Boucher
Boustany
Brady (TX)
Bright
Brown, Corrine
Capuano
Conaway
Conyers
Costa
Crenshaw
Davis (AL)
Davis (IL)
Doyle
Forbes
Gohmert
Grijalva
Gutierrez
Hinchey
Johnson (IL)
Kirk
Larsen (WA)
Lewis (CA)
Lucas
Maloney
Manzullo
Marchant
McCarthy (NY)
McKeon
Moran (VA)
Rohrabacher
Sanchez, Loretta
Sessions
Sestak
Sires
Smith (WA)
Stark
Tiberi
Towns
Turner
Wasserman Schultz
Wittman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1908

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NEW FRONTIER CONGRESSIONAL GOLD MEDAL ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2245, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. GRAYSON) that the House suspend the rules and pass the bill, H.R. 2245.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 0, not voting 43, as follows:

[Roll No. 595]

YEAS—390

Abercrombie
Ackerman
Aderholt
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
Boustany
Boyd
Brady (PA)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Cooper
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
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
Flake
Fleming
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tierney
Titus
Tonko
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—43

Barrett (SC)
Boswell
Boucher
Brady (TX)
Bright
Brown, Corrine
Capuano
Conaway
Conyers
Costa
Crenshaw
Culberson
Davis (AL)
Davis (IL)
Forbes
Grijalva
Gutierrez
Hinchey
Johnson (IL)
Kirk
Larsen (WA)
Lewis (CA)
Lucas
Maloney
Manzullo
Marchant
McCarthy (NY)
McKeon
Moran (VA)
Rohrabacher
Roskam
Sanchez, Loretta
Sessions
Sestak
Sires
Smith (WA)
Stark
Tiberi
Towns
Turner
Wasserman Schultz
Wilson (SC)
Wittman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1915

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CONYERS. Madam Speaker, on July 20, 2009, I was called away on personal business, I regret that I was not present to vote on the Journal Vote, H. Res. 607, and H.R. 2245.

Had I been present, I would have voted "yea" on all votes.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Madam Speaker, I was unavoidably absent from this Chamber today. Had I been present, I would have voted "yea" on rollcall votes 593, 594 and 595.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate notifies the House of Representatives that the Senate shall convene as a Court of Impeachment at 2 p.m., on Wednesday, July 22, 2009, for the purpose of receiving the Managers on the part of the House of Representatives in the matter of the Impeachment proceedings against Samuel B. Kent, formerly a Judge of the United States District Court for the Southern District of Texas.

ROSENSTIEL SCHOOL OF MARINE AND ATMOSPHERIC SCIENCE AT THE UNIVERSITY OF MIAMI

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

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to announce that today the Department of Commerce awarded a $15 million grant to my alma mater, the University of Miami, for the construction of a new marine science research facility as the Rosenstiel School of Marine and Atmospheric Science. The Rosenstiel School will construct an integrated seawater laboratory building that will also house a state-of-the-art marine life science center. The lab will be the only facility in the world with a wind-wave storm surge simulator capable of generating hurricane-force winds in a three-dimensional test environment.

Building on past initiatives to protect coral reefs and Florida's unique habitat, the University of Miami will conduct research to understand how structures withstand natural disasters, how environmental challenges threaten human health, and how dynamic action can enhance resiliency and protect lives. All of us will be safer due to the advances it will yield in technological innovation, environmental protection and public safety.

Madam Speaker, again, it's a $15 million grant from the Department of Commerce to my alma mater, the University of Miami, for a new Rosenstiel School of Marine and Atmospheric Science.

EXPRESSING CONCERN FOR THE AMERICAN SOLDIER HELD CAPTIVE IN AFGHANISTAN BY THE TALIBAN

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

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise to express grave concern for one of our soldiers being held in harm's way by the Taliban in Afghanistan. I join with Secretary Gates to call this disgusting. Knowing the brave men and women of the United States military, I know they will not leave one soldier behind. The 18th Congressional District has approximately the largest number of active duty soldiers returning from Iraq and Afghanistan. The numbers are large throughout the State of Texas. We have grave concern and are in sympathy with his family. We want them to know that we do care. We want them to know that as the soldiers are on the battlefield in Afghanistan, we will not stop until he is found.

It is necessary to express our belief that our soldiers are precious. We thank them for the sacrifice they make on behalf of our freedom and know that we will not leave one behind. It is disgusting, and the Taliban need to know we will never give up.

CELEBRATING THE 40TH ANNIVERSARY OF THE APOLLO 11 MISSION

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

Mrs. SCHMIDT. Madam Speaker, I rise today to honor and celebrate the 40th anniversary of the Apollo 11 mission and, notably, the commander of that crew, Neil Armstrong, as the first person to set foot on the Moon. President John F. Kennedy told a joint session of Congress in 1961: "I believe that this Nation should commit itself to achieving the goal, before this decade is out, of landing a man on the Moon and returning him safely to Earth."

That goal was achieved nearly 8 years later on July 20, 1969, by Ohio's

own Neil Armstrong, along with Buzz Aldrin and Michael Collins. Tonight I honor Neil and the men and women who worked tirelessly to make Apollo 11 a success. I, as a child, was mesmerized by Apollo 11's mission. I was one of the hundreds of millions who watched on television as Neil Armstrong took that historic step on the Moon.

Landing on the Moon wasn't just an American event. It was a proud and historic event for all mankind. In the wake of this incredible accomplishment, Neil Armstrong has received many, many awards. Most notably, he received the highest award offered to U.S. civilians, the Presidential Medal of Freedom. Neil has undertaken several endeavors since that walk on the Moon, and I am especially proud of one professor of aerospace engineering at the University of Cincinnati, my alma mater. I am extremely proud to call Neil one of my constituents.

Madam Speaker, let me leave you with the quote that has become the core of our American history: ''That's one small step for man, one giant leap for mankind.'' Thank you, Neil Armstrong, for taking that giant leap; and thank you to everyone who made Apollo 11 a success. Forty years later we ponder its magnitude.

TO ENSURE PROPER TRANSPARENCY, LEGISLATION SHOULD BE ONLINE 72 HOURS PRIOR TO A VOTE

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

Mr. PAULSEN. Madam Speaker, next week Congress will likely vote on a health care bill that costs over $1 trillion and has serious repercussions for every American. I simply request that every Member be given the appropriate time to review the final bill.

Just a few weeks ago, a 300-page amendment was made to the cap-and-trade bill at 3 a.m. and voted on just hours later without allowing Members and staff ample time to peruse it. The over 1,000-page stimulus bill was similarly hustled through Congress without time for Members to even read it. This is not an acceptable way to run Congress.

To that end, I am cosponsoring a bill that will require legislation be available on the Internet for 72 hours so that the public and Members of Congress will have a chance to see it. As we debate health reform or any other issue, the American people want us to get it right. To do that, we must avoid arbitrary deadlines and passing measures in the dark of night without full debate or proper transparency.

THE MOON MEN

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

Mr. POE of Texas. Madam Speaker, on July 20, 1969, America accomplished the greatest single technological achievement in the history of the world: Americans walked on the Moon. And on that July afternoon 40 years ago today, we all crowded around our TV sets and radios, listening to mission control in Houston, Texas. At 4:17 p.m. the distant word came from Lunar Module Flight Commander Neil Armstrong: ''Houston, the Eagle has landed.'' Shouts and cheers rang out at mission control in Houston, Texas, and spread out across the United States. Six hours later, kids in America, including me, were still up way past their bedtime. Neil Armstrong stepped down from the ladder of the lunar module in his big, bulky space suit and said: ''That's one small step for man, one giant leap for mankind.'' He was standing on the Moon. Armstrong and Buzz Aldrin then planted the Stars and Stripes on the lunar surface.

These men, along with Michael Collins who was circling in the command module, had done something unbelievable. By their achievement, they summed up the greatness of America. A country founded by bold explorers had, itself, boldly explored the universe. The Moon men proved that in America, no mission is impossible.

And that's just the way it is.

HONORING THE MEMORY OF FIVE MINNESOTA NATIONAL GUARDSMEN KILLED IN THE LINE OF DUTY

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

Mrs. BACHMANN. Madam Speaker, I rise today to honor the memory of members of the Minnesota National Guard who were killed in the line of duty this past week in the service of our great country. Minnesotans gathered together last evening in a silent vigil in my hometown in Stillwater where they remembered, cried and prayed for five brave members of our American military who willingly laid their lives on the altar of freedom.

On Friday I spoke with the parents of one of these servicemen who only hours earlier received a knock on their door, the knock that no parent ever wants to answer. And in their conversation with me, Madam Speaker, the parents honored their son amidst their grief, their pride in his bravery swelling their hearts.

May these families be comforted in their sorrow, and may the memories of these brave soldiers live in our hearts forever.

□ 1930

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 NEED FOR A CONSUMER FINANCIAL PROTECTION AGENCY

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

Ms. WATERS. Madam Speaker, I have long been an advocate of consumer protections and consumer rights, and I'm proud of the work we have accomplished on these issues this session. Laws such as the recently enacted Credit Cardholders' Bill of Rights, of which I'm an original cosponsor, will help to ensure consumers have access to fair and easy-to-understand credit products. That said, there is still much more work to be done in order to safeguard consumers from predatory and discriminatory lending products.

This Congress is about to embark upon the adoption of regulatory reform. We have had an economic meltdown and a subprime mess, and we discovered that our regulatory agencies were asleep at the wheel. We discovered that there had been deregulation that led us to the point of this economic meltdown.

Judging from the proliferation of products such as subprime mortgages and payday loans, our current regulatory framework inadequately protects consumers. There are many reasons why we need a new consumer financial protection agency. There will be a comprehensive piece of legislation that will talk about how we do credible regulatory reform. But of all that is in the proposed legislation that is being developed, we are getting a pushback from the financial services community on the consumer financial protection agency.

Why is that? Why is it that given what we have gone through the financial services community can boldly and barefacedly come before us and talk about why a consumer financial protection agency is a bad idea?

I suppose one of the reasons is jurisdictional. There are several types of consumer financial products which, because they are offered by non-banks, fall into what may be classified as a ''shadow banking industry.'' These products and institutions escape Federal regulation yet often lead to Federal problems, such as our current economic and foreclosure crisis.

A prime example of this is mortgage servicing. Mortgage services is an important part of our housing market, and consumers often have more contact with their mortgage servicers than they do with their mortgage broker, real estate agent or bank combined. However, lately, many servicers have been unable to properly assist consumers due to lack of capacity or perhaps just the will to do so.

The servicers are the ones that are supposed to be doing loan modifications. They are supposed to be helping the consumers to unwind the mess that many of them have found themselves in because of the predatory lending.

There is currently no Federal agency with specific jurisdiction over the mortgage servicing industry, and therefore, no mechanism for anyone to address this pressing issue. The proposed consumer financial protection agency would bring nonbanks who offer financial services to and interact with consumers into our regulatory system.

Another reason we need a consumer financial protection agency is to protect consumers from complicated products and hidden and predatory fees. According to Harvard Professor Elizabeth Warren, the average credit card offer now comes bundled with more than 100 pages of fine print. Buried within this fine print are provisions about restrictions, teaser rates and penalties. This fine print is nearly impossible for consumers to make informed decisions and pick the credit card or other lending product which is right for them. This leads some borrowers to be trapped in credit cards or loan products with hidden and abusive fees. This agency could solve this problem by working with the industry to reduce fine print and hidden fees.

The final reason we need this new agency is stability. Our financial markets are built on consumer lending. Our current crisis began when collateralized debt obligations and mortgage-backed securities were packed with exotic products, such as no-doc loans and liars loans. It was exacerbated as consumers were continually squeezed with excessive penalties and fees from bank products, reducing purchasing power and leading families everywhere to make tough decisions. A strong regulator, one which focused solely on consumer safety and championed simpler disclosure and products, could have prevented all of this.

We need a consumer financial protection agency to deal with this kind of crisis so that it never occurs again.

NATIVE AMERICAN INDIAN HEALTH CARE MEDICAL MALPRACTICE, PAGE 2

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

Mr. POE of Texas. Madam Speaker, government-run health care leads to doctor shortages, rationing of services and long waiting lines. The United States Government has been trying to run health care for the American Indians for over 200 years. And it is a miserable failure. It has resulted in medical malpractice against Native American Indians.

Over the last two centuries, Members of Congress have spoken out about the way Indians are treated by the Federal Government. Among those outspoken critics include David Crockett and Sam Houston. The prime example of mistreatment today is the government-run health care for Native Americans.

In 1787, the Federal Government agreed to provide for the health, safety and well-being of Indian tribes on reservations in exchange for over 450 million acres of land. The United States Government has been running Indian health care ever since.

The Indian Health Services is part of the Department of Health and Human Services. They took over the Indian health care in 1954 from the Bureau of Indian Affairs. Now, Indian Health Services oversee medical care for about 2 million American Indians and Alaskan Eskimos in 35 States.

Last week, I talked about just a few of the tense tragic stories of some of the victims of this U.S. Government-run health care system. Like Ta'Shon Rain Little Light, the little girl who went to an Indian Health Service clinic in Montana. The doctor said Ta'Shon was just depressed. But she kept complaining to her mom that her stomach hurt and stopped eating and drinking. After going back to the same clinic 10 more times, her lung collapsed. She was then airlifted to a private children's hospital, where she was diagnosed with terminal stomach cancer. She died a few days later. Ta'Shon Rain Little Light was 5 years of age.

Rhonda Sandland lives on the Standing Rock Reservation in North Dakota. She had to threaten to kill herself to finally get treatment for severe frostbite on her fingers. The government health care providers wanted to cut off all of her fingers. A private doctor happened to stop by on the reservation and prevented the amputation. Instead, he prescribed the medicine that took care of the problem.

And then there is Victor Brave Thunder who had congestive heart failure. The clinic at Standing Rock gave him Tylenol and cough syrup and sent him home. He died of a heart attack a few weeks later. Then there's Harriet Archambault who died when her hypertension medicine ran out. She tried five times to get an appointment to get her medicine refilled. She never got to see a doctor before she died.

These are not isolated incidents.

The Cheyenne River Sioux tribal officials have held hearings on their South Dakota reservation to document conditions at the Eagle Butte Indian Health Services hospital. Betty Crowe worked at the reservation hospital for years. Betty said all they could do most of the time was hand out painkillers. Others testified at that hearing that people who had appendix problems were given pain medicine and sent home until their appendix burst. Betty's own son had leukemia. He used to get his leukemia medicine through his wife's private insurance, but then he got a divorce and he lost that insurance. He couldn't pay for it by himself. And Betty said that the bureaucrats at the Butte Indian Health Services hospital wouldn't allow him to get the leukemia medicine from the Federal Government.

Germaine Means says that nonmedical staff was deciding who would or would not get medical treatment. Now imagine that, Madam Speaker. In the Indian Health Services agency, a bureaucrat, not a doctor, decides who can get medical care and who doesn't. That is called ''rationing.''

On the reservations it is said, don't get sick after June because the government runs out of money and runs out of medicine. The Indian Health Service Agency itself calls their organization a ''rationed health care system.''

When the taxpayer money runs out, they can't pay for those services. So they ration. America has proven universal nationalized health care results in a rationed system of care by the way we treat the American Indians. And every nation that has tried socialized medicine has proven its results in rationing and in poor health care.

There are more problems with this universal plan. To cut costs, the government solution is to pay all the private doctors the Medicare rate for their services. It's in their 1,000-page bill. They call it ''cutting medical costs.'' The main problem with that scenario is that Medicare rates don't pay for a doctor's overhead. So they run the doctors out of business. Why would anyone want to go to medical school and spend all that money just to open up a practice that doesn't pay for itself? And to make matters worse, the American Medical Association has warned us that we are losing more doctors than we are getting.

Madam Speaker, we don't have to wonder what health care, run by the Federal Government, looks like. We have our own long, lamentable, sad, sick history to prove it doesn't work. Socialized medicine has the competence of FEMA, the efficiency of the post office and the compassion of the IRS, and results in medical malpractice against the American Indians. Just ask them. And that's just the way it is.

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.)

WE MUST RETHINK OUR POLICY IN AFGHANISTAN

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

Ms. WOOLSEY. Madam Speaker, the administration is currently reviewing our military strategy in Afghanistan. General McChrystal, the leader of U.S. and NATO forces, is expected to give his report to the President in just a few weeks.

But the President isn't the only one who should be reviewing our policy. Every Member of this House should be reviewing our policy too, because we are once again relying on the military

option, just like we did in Iraq. And that's just not the best way to stop the violent extremists who threaten us.

If you need proof of that, just remember that al Qaeda has launched more attacks since 9/11 than before 9/11. And our National Intelligence Estimates have warned us that al Qaeda is getting stronger—stronger—not weaker. And if you need even more proof, Madam Speaker, that military force doesn't work, I urge you to read the RAND Corporation report entitled ''How Terrorist Groups End.''

RAND studied 648 extremists groups that existed between 1968 and 2006. It found that military force was effective against these groups only 7 percent of the time. In its analysis, RAND discovered two strategies that actually worked better. The first was negotiated political settlements; the second was the use of intelligence and police agencies to penetrate and disrupt extremist organizations. Combined, these two strategies were effective 83 percent of the time.

RAND applied its analysis to al Qaeda and concluded that ''policing and intelligence should be the backbone of U.S. efforts.'' And they believe this to be true in Afghanistan and other parts of the world. This is because ''al Qaeda consists of a network of individuals who need to be tracked and arrested,'' which requires the cooperation of U.S. and foreign intelligence agencies.

RAND also said that America ''should generally resist being drawn into combat operations in Muslim societies, since its presence is likely to increase'' the recruitment of violent extremists.

Madam Speaker, instead of using military force, we must change our mission in Afghanistan. We must use the far more effective tools of SMART power. SMART power can do a much better job of ending violent extremism than bombs, bullets, invasions, and occupations.

In this session of Congress, I have introduced House Resolution 363, the SMART Security Platform For the 21st century. It calls for strengthening intelligence and law enforcement agencies to track and arrest those involved in violent acts, while still respecting the rule of law.

SMART security also calls for improvements in civilian policing. A well-trained police force is a highly effective counterinsurgency tool because it is located where the extremists actually lurk. My SMART security platform also includes many other initiatives to provide for stopping extremism in Afghanistan and other parts of the world. SMART security addresses the root causes of violence and it encourages diplomatic and multilateral action. It promotes nuclear nonproliferation, and it ends our dependence on foreign oil.

Madam Speaker, the death toll in Afghanistan is on the rise. A summer of heavy fighting is ahead of us. Let's stop this bloodshed before we have another Iraq on our hands. Let's do the smart thing. Let's change our strategy before it's too late.

HONORING THE OLD GUARD

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

Mr. JONES. Madam Speaker, I rise today to honor the outstanding individuals of the Old Guard located at Fort Myer, Virginia.

The 3rd United States Infantry, proudly nicknamed the Old Guard, has served our Nation since 1784, making it the oldest active duty infantry unit in the United States Army.

□ 1945

Since World War II, the Old Guard has served as the Army's official Honor Guard. Soldiers from the Old Guard protect Washington, D.C., escort the President, and conduct military ceremonies at the White House, Pentagon and national memorials in the capital, including funeral details and other special ceremonies at Arlington National Cemetery.

Last month, I had the pleasure of spending the morning at Arlington National Cemetery and seeing the inside workings of the Old Guard. One of their most recognized duties is to provide sentinel at the Tomb of the Unknowns. Since April the 6th of 1948, the Tomb of the Unknowns has been guarded 24 hours a day, 365 days a year, regardless of weather. The sentinels rotate walks every hour in the winter and at night and every half hour in the day during the summer. They are all volunteers and considered to be the best of the Old Guard. Each soldier must be in superb physical condition, hold an untarnished military record, and be between 5 foot 10 and 6 feet 4 inches tall with the proportionate weight and build.

During the trial phase, soldiers are required to memorize seven pages of Arlington National Cemetery history, and the knew sentinels learn the grave locations of nearly 300 veterans.

The sentinels' duty time not walking is spent in the Tomb Guard Quarters below the Memorial Amphitheater, where they study cemetery ''knowledge,'' clean their weapons, and help the rest of their relief prepare for the Changing of the Guard. The guards also train on their days off.

A portion of the Sentinels' Creed states: ''My dedication to this sacred duty is total and wholehearted. In the responsibility bestowed upon me never will I falter, and with dignity and perseverance my standard will remain perfection.''

Madam Speaker, it was a humbling experience to witness the sentinels' dedication and commitment to honoring all American servicemembers who are ''Known But to God.''

I encourage every American who visits our Nation's capital to stop by Arlington National Cemetery to pay tribute to the fallen military heroes of the past, and to witness the dedication of the Old Guard.

I also encourage my colleagues in Congress to make the time to visit Arlington National Cemetery and meet with the fine soldiers of the Old Guard. Their motivation and dedication to service should truly fill every American with pride.

And as I close, Madam Speaker, as I do many times on this floor, I ask God to please bless our men and women in uniform. I ask God in his loving arms to hold the families whose child has given their life for freedom in Afghanistan and Iraq. And I ask three times, God please, God please, God please continue to bless America.

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

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

CELEBRATING THE 40TH ANNIVERSARY OF THE APOLLO 11 MOON LANDING

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

Ms. JACKSON-LEE of Texas. Madam Speaker, as a 12-year member of the House Science Committee and a resident in Houston, Texas, I too rise to celebrate and to commemorate the 40th anniversary of Apollo 11.

This coming Friday, the NASA community and all of Houston will join in a splashdown celebrating the 40th anniversary of Apollo 11 at Space Center Houston.

Madam Speaker, I cannot tell you the great excitement in our community, because NASA has been a real anchor both economically, but really one of great pride, even though we realize it is a national treasure.

The words of a young President John F. Kennedy in his May 25, 1961, speech to Congress rings clear in our ears because he challenged America. He challenged those who had the ability to dream and gave them the goal of landing a man on the Moon and returning him safely to Earth.

The Apollo 11 program was designed to achieve the goal established by President Kennedy, by sending a crew of three astronauts to the Moon and returning them safely, but he didn't realize the drama and the excitement and the inspiration that that would provide. He did not realize what it would mean when Buzz Aldrin and Neil Armstrong and Michael Collins took flight in Apollo 11. He did not realize that when the crew of Apollo 11 launched into space aboard a Saturn V rocket on July 16, 1969, was almost equal to, I guess, the discovery of this Nation.

And then on July 20, 1969, Neil Armstrong and Buzz Aldrin successfully piloted the Eagle lunar module to the

surface of the Moon. And who can forget ''The Eagle has landed.'' It was exciting for all of us who really believed in the greatness of America, but also the peace that America generated.

And then on July 20, 1969, when Neil Armstrong took his first step on the Moon, he became the first person to walk on the surface of another celestial body. We know his famous words that, in fact, as I paraphrase them, one step for man and one giant step for mankind.

And so we recognize how important it is to celebrate 40 years, because we want there to be another 40 years of NASA, to recognize the economic arm that it presents, to recognize the value of the inquisitiveness of scientists, mathematicians, doctors, those who are engaged in the business of exploration and human challenges.

Astronauts have come from all walks of life. They've happened to be my neighbors. We've lost some in Columbia and Challenger. We mourn for their families, but we celebrate their families and thank them for their sacrifice because we recognize that this is a time that we are now to pay tribute to them by continuing our work with NASA.

How excited we are to have retired General Charles Bolden to be the new NASA administrator, a former astronaut, the first African American, a Houstonian in the years that he lived there.

And so we celebrate and hope that this inspiration goes into the nooks and crannies of prekindergarten, kindergarten, primary, secondary education, college, graduate school. Let us send forth more astronauts, chemists, physicists, biologists, doctors, mechanical engineers, engineers, all of the people that can help us discover a peaceful way to live in this wonderful universe. That's what Apollo 11 was all about. Showing us that it is a place of peace, the Moon, that we can explore, we can find out information, we can make lives better for Americans and others around the world.

I always believed in the international space station. As a member of the Science Committee, I was able to craft legislation to create a safety scheme, if you will, to ensure that the international space station is safe. We see now that there are constant checks and constant emphasis on ensuring the safety of this particular large building in space, if you will, the size of large football fields. We know that that is important, even to the extent of fixing a toilet.

So, Madam Speaker, I rise to support and to salute Buzz Aldrin, the lunar module pilot; Michael Collins, the command module pilot; and Neil Armstrong, the mission commander, who understood what it was to make this giant step.

His other words as well, as we came in peace for all of mankind, that should be the mantra, the standard, the medal, if you will, the heart of NASA as we explore: We come in peace for all of mankind.

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

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

THE IRANIAN PEOPLE'S PEACEFUL STRUGGLE FOR FREEDOM

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

Mr. McCOTTER. Madam Speaker, the Iranian people's peaceful struggle for freedom continues despite the tyrannical regime's barbarous crackdown. In fact, in his Friday's sermon, former President Rafsanjani called into question legitimacy of the present government and rebuked the regime for its crackdown on peaceful protesters and its cavalier rejection of the cries that the election was stolen.

Finally, former President Rafsanjani called upon the regime to free and fully account for all those peaceful freedom seekers who have been arrested in the repression. Then, on Sunday, former President Khatami called for a referendum on the legitimacy of the Iranian regime and asked that the results be tallied by an objective independent Iranian body to ensure its accuracy.

This led the current opposition, Presidential candidate Hossein Mousavi, to say, You are facing something new, an awakened nation, a nation that has been born again and is here to defend its achievements. Arrests won't put an end to this problem. End this game as soon as possible and return to the nation its arrested sons.

While humanity agrees, Supreme Leader Khamenei disagrees. And to leaders who both tacitly and expressly support the freedom seekers in Iran, Khamenei issued this warning. The elite should be watchful since they have been faced with a big test. Failing the test will cause their collapse.

I'd ask Supreme Leader Khamenei to look at this picture. Her name is Taraneh Mousavi. She was arrested near Ghoba Mosque, where she was on her way to attend hairdressing college. After her arrest, she was raped, sodomized and tortured by her captors, taken to a hospital in a coma, and it was there that she died. Upon her death, her body was removed to the outskirts of Karaj Qasim where, to prevent an autopsy, it was burned.

She came from a religious family. Taraneh was only 19 and an only child. Her family has been threatened to keep quiet, and yet the resistance wants her story out. Why? Because here's the truth denied by Khamenei and his misogynistic, murderous regime. Your referendum has been held and you have failed your test. Taraneh and Nadeh condemn you as the despicable killers of women. You have no legitimacy either in the eyes of the Iranian people or in the eyes of the civilized world. You are doomed by your own hands, and it is but a matter of time until your regime collapses and the Iranian people breathe free.

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

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

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

(Mrs. SCHMIDT 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.)

ALL JOBS ARE NEEDED NOW

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Minnesota (Mrs. BACHMANN) is recognized for 5 minutes.

Mrs. BACHMANN. Madam Speaker, all jobs are needed now in the United States. We need jobs here and we need jobs now. Unemployment stands at a 26-year high at 9.5 percent.

And what is the response of Washington, D.C.? Government is increasing the costs on job creators. By the end of this week, Madam Speaker, government will have mandated that the price of the minimum wage will increase another $0.70 per hour. This comes when teenage unemployment stands at nearly 25 percent, nearly another record. Employers expect to be cutting more minimum wage jobs as a result of this action, not adding more jobs. Teenagers in my district are going from day to day to day, many of whom have given up now that it's the end of July, looking for work. Unemployment stands at a high for teenagers. They're competing with 40-year-olds for jobs at fast food companies.

So what else does Washington do?

Washington is passing a crushing debt burden on to the 19- and 20-year-olds with our $1.1 trillion stimulus plan. Clearly, the stimulus plan hasn't worked to create more jobs for Americans. Two million jobs have been lost since the stimulus law was passed earlier this year. The public was told that if Congress failed to pass the President's stimulus plan that we would see 8 percent unemployment. A lot of

States today would love to see 8 percent unemployment.

Try the State of Michigan. Last week they reported their unemployment stands today at 15.2 percent. We can do better, so much better. We have before and we can again.

Let's ask every business owner in America, Madam Speaker, if it would help them if we would cut their costs of doing business with the Federal Government.

Let's ask the average American if they would like to see government take less of what they make. Let's see if Washington would allow the American people the freedom to reclaim their lives, rather than waiting for a Washington bureaucrat to give them permission to move forward with their lives.

□ 2000

This last weekend, I spoke to a Minnesota businessman who has created four dozen jobs in my district. He would love to provide health care for his employees, but he simply can't afford to. Why? It's because of the government mandates.

Do his employees go without health care? No, they don't. Almost all of them have health insurance either through a spouse or they purchase health care on their own.

What would his employees like to see? They would like to have help with the full deductibility of their health care costs on their tax returns; also if they could purchase health insurance in the same way they purchase their car insurance in a competitive, free-market manner. Many of them would like to see the increased use of health savings plans. They want to own their own health insurance because they want to be able to take it with them in case they want to be able to change jobs.

Madam Speaker, fully 77 percent of all Americans respond that they prefer their present health insurance. They like what they have, and they want to keep it, but they think, Madam Speaker, that they will be shocked if they learn that they could lose their private health insurance, and they would be shocked to learn if their only option would be the government as their only health decision-making.

Page 16 of the House Democrat plan that was revealed last week of the government takeover of insurance is quite a shocker. Page 16 says that no new private health insurance policies will be allowed to be written after the passage of the bill. Government insurance is expected to be subsidized by taxpayers to the tune of 30 to 40 percent.

Approximately 114 million Americans are expected to leave private health insurance. Why? Their employers will drop the insurance because the taxpayer-subsidized plan will be 30 to 40 percent cheaper. This action will collapse the private health insurance market, and then the Federal Government will own the health provider game.

The problem is that every American will have to hope that the government will act benevolently toward their cases. Why? Because government will be the only game in town.

We can do better, Madam Speaker. We have done better. We can take a plan that truly does represent compassion and that does represent the best interests of the American people by offering them freedom and true options.

THE CONGRESSIONAL BLACK CAUCUS: HEALTH CARE

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

GENERAL LEAVE

Ms. FUDGE. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks on the subject of my Special Order.

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

There was no objection.

Ms. FUDGE. The Congressional Black Caucus, the CBC, is proud to present this hour on health care. The CBC is chaired by the Honorable BARBARA LEE from the Ninth Congressional District of California. I am Representative MARCIA L. FUDGE from the 11th District of Ohio, and I am the anchor for this hour.

Mr. Speaker, I would now like to yield to our Chair, the Honorable BARBARA LEE, the gentlewoman from California.

Ms. LEE of California. Thank you very much.

Mr. Speaker, first, let me thank my colleague, Congresswoman MARCIA FUDGE of Ohio, for leading this Special Order, not only tonight but each and every Monday night, to keep our caucus and the country focused on addressing the key issues which are looming today. She consistently and is constantly on the case, making sure that we speak with one voice on the very, very critical issues which our country and the world are facing.

So thank you, Congresswoman FUDGE, for your leadership.

As Chair of the Congressional Black Caucus, I join my colleagues tonight in this very timely discussion of health care and of our efforts. Also, I want to make the case tonight for prevention as a very cost-effective strategy for health care reform. Prevention and, of course, public health should be the cornerstone of any true health care package. Prevention that takes place outside of the doctor's office can be just as important in impacting the health of Americans as health care on the back end when one ends up in an emergency room. Disease prevention is universally popular from coast to coast and across political spectra. Americans understand and appreciate the value of prevention, the value especially for reducing disease rates, for improving the quality of life and for lowering health care costs.

Yes, given the rise in deficit, we all are extremely concerned about the costs of health care, but we also must remember that an ounce of prevention is worth a pound of cure. For whatever reasons, those experts who are giving us the numbers in terms of the costs don't seem to, for whatever reason, want to tell us how much we will save based on prevention as a key element and strategy in our bill.

In a new poll released last month by the Trust for America's Health, Americans actually ranked ''prevention'' as the most important health care reform priority. The poll also found that more than three-quarters of Americans believed the country should invest more in keeping people healthier; and by a ratio of nearly 4–1, they supported putting more emphasis on preventing disease rather than on treating people after they become sick.

People are convinced it will save the health care system money, but surprisingly, the poll also found that more than 70 percent of Americans say investing in prevention is worth it even if it doesn't save money, because it will prevent disease and it will save lives. We also know that it will save money.

Now, this is not about lecturing people about behavior. Instead, what we want to do is to remove barriers to good health that are beyond the control of most people. One role of government in health care is to provide opportunities to make it easier for people to make healthy choices. Americans are not as healthy as they could be or should be, and this is resulting in skyrocketing health care costs that threaten to bankrupt American businesses. Our workforce is less productive than it could be or it should be as it relates to competing with the rest of the world.

Tens of millions of Americans suffer every day from preventable illnesses like diabetes, heart disease, some forms of cancer, and infectious diseases which rob them of health and the quality of life that they deserve, and it also drives up health care costs. More than half of Americans suffer from at least one chronic disease. Two-thirds of Americans are obese or are overweight, and 20 percent of Americans smoke. Due to the epidemic of obesity, today's children could be the first generation to live shorter, less healthy lives than their parents. This is very scary. The Nation's economic future demands that we find ways to reduce health care costs. Helping Americans stay healthier is one of the most effective ways to lower costs and to ensure that our workforce is strong and productive enough to compete in a global economy.

According to the United States Centers for Disease Control and Prevention, a vast majority of chronic diseases could be prevented through life style and environmental changes. For too long, the health care system has focused on treating people after they become sick instead of keeping them healthy in the first place. We need to shift from a sick care system to a health care system. Prevention can improve the quality of lives of Americans, can spare millions from needless suffering and can eliminate billions of

dollars of unnecessary health care costs. Research shows that strategic investments in disease prevention programs in communities can result in a big payoff in a short time, reducing health care costs, increasing the productivity of the Nation's workforce and helping people lead healthier lives.

Let me just conclude by saying I have to take a moment to commend Congresswoman Donna Christensen and the Congressional Black Caucus' Health Task Force, along with the Congressional Hispanic and Asian Pacific American Caucuses' task forces, for their diligent and effective work to ensure that any health care reform bill includes a real public health option and provisions to address the racial and ethnic disparities which we face each and every day. Unfortunately, people of color are disproportionately seen in emergency rooms because they don't have health insurance and can't get preventative care.

For example, African Americans are 3½ times more likely than whites to get an amputation as a result of diabetes. African American men with colon cancer are more than 40 percent more likely than white men with the same condition to receive major diagnostic and treatment procedures too late.

So, Mr. Speaker, as we debate health care reform, let's look at the real costs and focus on the billions—and I mean billions—of dollars that we will save if we remember that old adage that an ounce of prevention is worth a pound of cure.

Thank you, Congresswoman FUDGE, for your leadership and for giving me a few moments to talk about this very important issue tonight.

Ms. FUDGE. Thank you very much, Madam Chair.

Mr. Speaker, we have the honor of being joined this evening by the majority whip. I would at this time yield to the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. I thank the gentlelady for yielding me this time.

Mr. Speaker, I would like to say to the American people that this whole issue of health care reform is something that needs to be focused on, not as an individual condition or situation but as to what is happening to the American families, as to what has happened to American businesses and as to what is happening to the American economy.

This is not about government-run health care. It's about removing insurance companies and costs from health care decisions, and it's about allowing you and your doctor to make those decisions. The status quo is not acceptable, and it is not sustainable. Here is why:

Every day, Americans are worried not simply about getting well but about whether or not they can afford to get well. Millions more wonder if they can afford preventative care to stay well. Premiums have doubled over the last 9 years, rising three times faster than wages. The average American family already pays an extra $1,100 in premiums every year for a broken system that supports 46 million uninsured Americans. For American businesses, soaring health care costs put American companies at a competitive disadvantage in a global economy. Small businesses are forced to choose between coverage and layoffs.

The broken health care system will cost us as much as $248 billion in lost productivity this year alone. We have the most expensive health care system in the world. We spend almost 50 percent more per person on health care than the next most costly nation, but we are no healthier for it. If we do nothing, in a decade we will be spending $1 of every $5 on health care. In 30 years, it will be $1 of every $3. Health care reform is curbing health care costs. It is the single best tool for deficit reduction.

Now I want to answer a question for all of the American people: What is in the reform plan for the average American?

Without reform, the health care costs for an average family of four is projected to rise $1,800 every year for years to come, and insurance companies will make more and more health care decisions. America's middle class deserves better.

Now, here is what is in this reform package for you: no more co-pays or deductibles for preventative care; no more rate increases for preexisting conditions, gender or occupation; an annual cap on your out-of-pocket expenses; group rates of a national pool if you buy your own plan; guaranteed affordable oral, hearing and vision care for your kids.

□ 2015

With this health care, there is greater choice. Keep your doctor and your plan if you like them. More choice with a high-quality public health insurance option competing with private businesses.

And so I want to say to the American people, this health care plan that we are marking up in the Energy and Commerce Committee over the next 2 days—and it's already been marked up in three of five committees in both houses of the Congress—is a plan that will say to the American people, You no longer have to worry about the cost shifting that's taking place in our current health care system; you will no longer have to worry about your premiums going up in order to cover that cost shifting for those people who do not have insurance. There will be stability in your families, there will be decreases in your premiums, and there will be an expansion in the coverage for all Americans. This is something we cannot afford not to do.

Ms. FUDGE. Mr. Speaker, I would now like to yield to my friend and colleague, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank our congresswoman from Ohio, Congresswoman FUDGE, for organizing this Special Order on health care.

Over the years, the degree of accessibility and quality of health care in the United States has faltered. We are a Nation in crisis. Many Americans who are uninsured and unable to pay their hospital bills are deprived of the care and attention needed to ensure their well-being. Fundamental change is necessary to truly make progress toward a healthy America. We must rescue our health care from the insurance companies and the pharmaceutical companies.

My experiences as a State and Federal legislator and a nurse have provided a unique vantage point from which to discuss this issue.

During my 15 years as a professional nurse and that of a chief psychiatric nurse at the Veterans Administration Hospital in Dallas, Texas, I witnessed the diminishing state of our health care firsthand. Our system of health care is especially weak when it comes to mental health, for example. Individuals with mental illness do not receive sufficient coverage from insurers. While some are uninsured and unemployed, others may make too much to qualify for Medicaid. The limited options that our health care system offers mental health patients results in their inability to obtain appropriate treatment.

Some years ago in the State of Texas, there was a lawsuit, and the ruling came down that said patients had a right to treatment. Many of the patients that were in State institutions were discharged because we did not have the staff to treat them. Guess what happened to them? They became homeless and many went to prison. They become victims of our flawed health care system, become unable to gain employment, and at times really have no other place to go but to the sidewalks and the streets and the doorways. People with mental illness are amongst those least served by local and national health care systems.

Individuals and families across the country are being affected by the faults in our care system. Thousands of families are crushed by the growing cost of health care. Today, Americans are spending more on health care than housing or food, and they sometimes must choose between paying their health premiums or their rent or even their prescription medications.

With our ailing economy, Americans should not be forced to make that choice, and now is the time for reform. We must not allow these millions of dollars that are going to lobbyists to distort this plan win this time. We can reform our health care system by improving and expanding our current systems of Medicare, Medicaid, and CHIP, making them available and affordable to all Americans. I don't think we ought to have a total Federal or a government plan, but we ought to have a choice because the insurance companies have no one to compete with now and they can charge what they want and limit what patients can get. They are dictating to doctors what they should order. That needs to end.

We need to guarantee and provide quality and affordable health care to all. We need to ensure that care is patient-centered and accessible, setting higher benchmarks for quality and efficiency. We need to enforce rules that make sure our insurance companies put health care over profit. They've had their day.

Americans should be able to keep the health care that they have but also have the option of a public plan that does not leave anyone at the mercy of

fate in order to stay healthy and avoid bankruptcy. We can take the best of our current models and lessons learned and use them to reform our health system.

Forty-six million uninsured Americans—including 5.7 million in Texas—are in great need of health care coverage. Many of our uninsured in Texas are working people. We need to act now to reduce health care costs as well as health care disparities to ensure the well-being and the healthiness of all Americans.

This country we call the leading Nation and the richest country does less to make sure that the people here, the citizens, are healthy. We must change this now. We must not allow the millions of dollars going to lobbyists to distort this and defeat it this time.

Thank you.

Ms. FUDGE. Mr. Speaker, CBC members are advocates for families nationally, internationally, regionally, and locally. We stand firm as the voice of the people. We continue to work diligently to be the conscience of the Congress. We are dedicated to providing focused service to citizens that elected us to Congress. The vision of the founding members of the Congressional Black Caucus—to promote the public welfare through legislation designed to meet the needs of millions of neglected citizens—continues to be the goal of our legislative work.

Tonight, the CBC is going to focus all of its attention on health care. I am proud to serve on one of the three House committees that are working on health care reform legislation. I serve on the Education and Labor Committee. The other two committees are Ways and Means and Energy and Commerce.

While each member of the CBC has his or her own area of concern, I will focus on two categories which directly affect the most vulnerable citizens: the poor and those with mental illness. I will examine how the House's health care reform bill, H.R. 3200, the America's Affordable Health Choices Act of 2009, assists these two groups.

I will begin by examining the problems people with low incomes and those in poverty face while attempting to access our current and expensive and broken health care system.

One quote comes to mind, Mr. Speaker. This statement was made by Dr. Martin Luther King, Jr., more than 40 years ago. Dr. King said, Of all the forms of inequality, injustice in health care is the most shocking and inhumane. Sadly, Dr. King's statement is still relevant today.

Statistics prove that the high cost of health insurance causes or deepens financial hardships. The Service Employees International Union reported that in 2004, half of all people filing for bankruptcy cited medical costs as the reason; and in 2008, half of all home foreclosures were due, in part, to the high cost of coverage and care.

The numbers also prove that the high cost of health insurance causes people to remain or become uninsured. Due to the high cost of health care coverage, one in six—or 43.6 million Americans—under the age of 65 do not have any type of health insurance. That comes from the Centers for Disease Control. The Children's Defense Fund reports that 9 million children are uninsured in America.

Statistics demonstrate that the high cost of health insurance and lack of access to quality health insurance disproportionately affects African Americans. According to a new report issued in June of 2009 by the U.S. Department of Health and Human Services, minority and low-income Americans are much more likely to suffer from a chronic, debilitating illness than whites, and are far less likely to have the kind of coverage that will ensure quality care.

For example, nearly half—or 48 percent—of black adults suffer from some form of chronic condition compared to 39 percent of all adults. Yet, one in every five black Americans lack health insurance compared to one in every eight whites. Considering the statistics that I mentioned, I'm glad to report that affordability and access to quality health care are two problems that are addressed by the America's Affordable Health Choices Act. Effective in 2013, assistance will be available for individuals and families that fall below the 133 percent to 400 percent of the Federal poverty level. Financial assistance will limit individual and family spending on premiums from a minimum of 1.5 percent of income for those with the lowest income and maxing out at 11 percent of income for those at 400 percent of poverty or more. Also effective 2013, people with incomes at or below 133 percent of poverty will all be eligible for Medicaid.

In addition to the financial assistance provided by our bill, while vitally necessary, monetary help will only address part of the problem. Prevention and wellness measures need to be a part of the solution as well. Fortunately, there are measures that are included in our legislation to address this gap.

I was speaking with a constituent the other day, Mr. Floyd Perry from my district, who was born in 1938. He is in good health and does not take any medication. Mr. Perry attributes his good health to preventative health care, and he wanted me to share with everyone that preventative health care works.

H.R. 3200 authorizes additional funding for existing community health centers and creates community-based programs to deliver prevention and wellness services and waives cost sharing, both co-insurance and deductibles, for preventative services—which means that you will no longer have to pay for cancer screenings or adult and child immunizations or vision screenings or hypertension treatment.

I would like to turn my attention just for a moment to citizens with mental health issues.

In my most recent town hall meetings, many constituents were concerned about health insurance, the affordability and the coverage. Some questions were fairly general, of course, and others were fairly specific.

One woman in particular was concerned about mentally ill felons who are released from jail without access to the medications they need to remain mentally stable. My constituent found that ex-offenders with mental and emotional problems are more likely to commit crimes again due to the lack of treatment. Fortunately, access to mental health care will be improved under the current House health reform bill, but the distinct needs of ex-offenders are not explicitly addressed. Among others, my office is currently working on this issue with Representative RUSH of Illinois.

The following statistics will help us understand the current problems felons and ex-offenders with mental illnesses face.

According to the Bureau of Justice Statistics, at mid year 2005, more than half of all prison and jail inmates had a mental health problem, including more than 700,000 inmates in State prisons, more than 78,000 in Federal prisons, and almost 500,000 in local jails. More than two-fifths of State prisoners—43 percent—and more than half of local jail inmates—54 percent—reported symptoms that met the criteria for mania. About 23 percent of State prisoners and 30 percent of all local jail inmates reported symptoms of major depression.

We also have problems with mental health hardships with our children.

According to the American Academy of Child and Adolescent Psychiatry, while almost one in five children in the United States suffers from a diagnosable mental disorder, only 20 to 25 percent of affected children receive treatments for illnesses such as attention deficit hyperactivity disorder, eating disorders, depression, and substance use disorders.

□ 2030

The Department of Health and Human Services reports that serious emotional disturbances affect one in every 10 young people at any given time, and our general population faces many more problems with mental illness. One in four uninsured adult Americans has a mental disorder, substance use disorder or both. Adults with serious mental illnesses die 25 years sooner than those who do not have mental illness. Almost 1 in 4 stays in acute care hospitals involve depression, bipolar disorder, schizophrenia, and/or other mental health and substance abuse disorders.

Treatment for mental health and substance use disorder is very effective. Recovery rates for mental illnesses are comparable to and even surpass the treatment success rates for any physical health conditions. For example, up to 85 percent of people with depression

who are treated with a combination of medication and therapy experience substantially reduced symptoms, enhanced quality of life and increased productivity.

Mr. Speaker, I see I have been joined by my colleague and friend, the gentlelady from Texas, Ms. JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Let me thank the gentlelady from Ohio, first of all, for bringing this important Special Order to the floor of the House tonight and for her continued leadership. Allow me to thank Mr. Speaker for his leadership as well on these many issues because this is a dialogue with our colleagues on an important topic.

And so I would like to begin by just congratulating you for focusing on the mental health issue, and some of our colleagues were focused on preventative medicine, and certainly, our majority whip indicated, in essence, a message to the American people of just what would be occurring.

I would like to follow suit and try to walk us through the construct of what we're trying to do here in the United States Congress in the light of day, if you will. The Tri-Committee, members of those three committees, have marked up their bills in an open process, starting last week. That markup is continuing. Members will have an opportunity to engage in issues that they believe are extremely important.

But while I discuss the bill, I think it is important that I point out that this is, in fact, the organizational chart of the Republican health care plan. I hope everyone can see it, and so as I discuss it we see that there is one option. It is the option that the President and the Democratic leadership and Members of Congress, which we hope will be bipartisan, will focus on curing the cancer, if you will, of uninsured people in America. When I say cancer, of course I'm speaking in the metaphoric manner, meaning that it is a cancerous sore to have people that cannot have access to health care.

On July 25, I am going to hold a job fair because Houston has the highest unemployment since 1987, and many people believe Texas has been immune. And of course, I know that some will pick up on that and suggest that they told you so about the stimulus. We understand that the stimulus is making its way into our communities, and we know that jobs are being created and jobs are saved. But it's hit a point where various cities are being impacted at different points of time. So we'll have that job fair, and we expect any number of employers to come and we expect to have success.

But in the interim, we realize that people are without health insurance. They are part of the 47 million-plus, including those who have never had health insurance, including those with preexisting diseases.

So what is the Democrats' health insurance about? It is about closing the loopholes. It is about answering the call of Americans who cannot find pediatricians to take their children to, who have the elderly who need home care, who have articulated the major disparities in health care.

You know, I heard my good friend from Texas rise today and talk about the Native Americans. I'm glad to tell him that the Tri-Caucus, Asian Pacific, Hispanic Caucus and African Americans, are way ahead of that question, and so we're focusing on the issue of disparities in health care.

Just this past weekend I joined with Organizing for America to work with volunteers as they were calling to explain to constituents just what this health care package is about because we're not trying to hide the ball. And so it is about reducing costs, because rising health care costs are crushing the budgets of governments, businesses, individuals, and families, and they must be brought under control. That's what we want to do.

It's about guaranteeing choice. Every American must have the freedom to choose their plan and doctor, including the choice of public insurance, a vigorous and robust public option.

Ensure affordable care for all. All Americans must have quality health care. And unfortunately, I'm hoping that we are watching the plan that our good friends have so we can realize how important it is to focus on what we're trying to do, and it is complex.

What we're trying to do in this health care reform is to answer the call that more than 8 in 10 of those Americans surveyed say: It's extremely or very important that the legislation make health insurance more affordable. We think that's very important.

Without reform, the cost of health care for the average family of four is projected to rise $1,800 every year for years to come.

And so our draft legislation has—and I want us to have the comparison of what we're seeing from our friends on the other side of the aisle, we will have no more co-pays or deductibles for preventative care. Can I use a term we use in our communities? Hallelujah. Can you imagine? Can you imagine?

I know that you have the Cleveland Clinic. I have come and admired that. It's in your district. You have done great work for the Cleveland Clinic. Can you imagine those scientists and doctors will have the ability to design a preventative medicine program? I am sure they have one. The Texas Medical Center will be able to design a preventative program.

Dr. Lovell Jones, who heads a minority populations program at the M.D. Anderson, will be able to finally get his way to work on the issue of disparities in health care but work on prevention.

No more rate increases for preexisting conditions, gender or occupation.

An annual cap on your out-of-pocket expenses. How many of us have heard the stories of catastrophic bankruptcies, financial collapses, because families have had to deal with catastrophic illnesses?

Group rates of a national pool if you buy your own plan and guaranteed affordable oral, hearing, and vision care for your kids. I have worked on the issues of vision care, and I know as Chair of the Congressional Children's Caucus children, as Chairwoman BARBARA LEE said, are the most vulnerable.

So we realize that we've got to do something. By a 23 point margin, 56 to 33 percent of Americans endorse the idea of enacting major health care reform this year. Half call it extremely or very important, and the idea of not having a health plan is really nightmarish, if you will.

It is a fact that 68 percent of all personal bankruptcies are the result of health care expenses and that 75 percent of those are filed by people who had health insurance. Given that, it is clear that the existing system of private health insurance companies is no protection against financial ruin.

That's why we need a robust financial option, and I refute the arguments that are being made that if we have a robust public option that all the people in the private sector will run for this. No, they won't, because obviously there will be criteria. There will be standards which they will meet, and there will be standards which we meet. There may be extras that the private insurance has. We wish them well, and they will be judged by the market, and their particular members will be subscribing on the basis of their desires and their ability.

But I think one thing that we need to be careful of, and we need to find language to ensure that—we know they're writing the bill. We cannot allow willy-nilly for corporations to close their doors on the most sick of their employees and throw them, in essence, without their will, without their desire, into another plan. That's what we have to protect against, and I believe that we'll do so.

The public option is going to be a very good plan, but if you are any corporation, and you're an employee, then you should not be thrown unless you desire to go into the public plan. And so we will protect against that.

But I think it is important to note that our plan is, again, not one that is throwing money out and around and flooding, if you will, the streets like greenbacks by throwing them out on the street. We're not talking about that. We are talking about being fiscally responsible.

Let me tell you how we're doing that—and this is important because the argument has gotten that this is a tax bill, that this brings no relief to anyone, but let me tell you, we don't ultimately know how it will manage in the size that it is to be fully paid for. But we are committed to being responsible with taxpayers' dollars.

We are going to be working on programs that will prevent waste, fraud and abuse. This is going to be a health care reform with integrity, and I ask

the American people, lift up the curtain. We have the lights on right now. You actually see what is going on as we mark up this bill.

But I tell you what we're going to do. We're going to strengthen Medicare and Medicaid program requirements for provider, suppliers and contractors. No more willy-nilly rates and having no knowledge of how much things cost. I think there's a way of doing it. There is one position being proposed that some of us do disagree with, but I do believe that we can find a way to have common ground.

We'll require providers and suppliers to adopt compliance programs as a condition of participating in Medicare and Medicaid. We'll require Medicare and Medicaid integrity contractors that carry out audits and payments reviews. We're going to be looking at why are you charging this amount for renting something—I just saw an expose today about paying $1,200 to rent a wheelchair, and you can buy it for $300. Let's slash that out. Let's slash and burn that out. That's what we're going to be doing, and the American people should understand that.

Then we're going to improve screening of providers and suppliers. Create a national preenrollment screening program to determine whether potential providers or suppliers have been excluded from other Federal or State programs, that have revoked licenses; allow, in any state, enhanced oversight periods or enrollment moratoria in program areas determined to pose a significant risk of fraudulent activity; and require that only Medicare-enrolled physicians can order durable medical equipment or home health services paid for by Medicare. And a number of other checks that we are going to have.

This is a not a fool-around-type effort. This is going to be a serious effort.

May I share with you just a few other thoughts, and I will show you how our plan is going to be work. I am likewise very pleased to have been part of the CBC health task force for a number of years, but I, too, want to congratulate the Congressional Black Caucus health task force and DONNA CHRISTENSEN, who I believe is right now involved in marking up the bill.

We have worked for a long time as a Tri-Caucus on this issue called disparity, and since my colleague was speaking just a few moments ago about Native Americans and that public system, and you know what, I agree. It has not been the best. It hasn't been run by a health care system. It's run by the Bureau of Indian Affairs. We need to overhaul that as well.

A robust public option does not entail the kinds of abuses or misdiagnoses that my good friend was talking about. And let me tell you why the Tri-Caucus of Hispanic Caucus, African American Caucus—Congressional Black Caucus and Asian Pacific Caucus, includes Native Americans. And what we are going to be doing is ensuring that community-centric health efforts, particularly those that will expand access to care and improve the health and well-being of communities that are the hardest hit by health inequities—and that happens to be Native Americans among others—are integrated into health reform.

So as we improve health reform we'll be looking to fix the broken native American health system. It is broken: high rates of diabetes, high rates of heart disease, bad nutrition in many instances, not good care for children. We're looking at turning Americans, all Americans, on this soil into healthy, healthy individuals.

This is what I really like: prioritize prevention and public health promotion in both clinical and community settings. We couldn't have it any better. Recognizing that the traditional medical home has been the office of the family and other primary care provider, efforts must be undertaken to increase their numbers and the reimbursement, and they must be an integral part of this process.

These words are very important. Every measure must apply equitably to American Indian tribes and the territories, and barriers to Federal health programs and the territories must be eliminated. This comes out of the Tri-Caucus health care reform, and we are working to make sure that we get those elements in our particular health care reform.

I want to conclude by suggesting that after you see this health care plan, organizational chart of Republican health care plan—and we'll look forward to maybe something coming on this chart, but I think this is easy to read. This is the path to health care for all, and this has been done by my good friend. I am vice Chair of the Progressive Caucus.

□ 2045

We are working together. So this has been done by my good friend, KEITH ELLISON, Congressman ELLISON of the Progressive Caucus. And I believe that this is a straightforward, neutral presentation that anyone of whatever viewpoint they have that wants health care reform can understand how this can be the path to health care for all, every American.

Employer-based insurance, exactly what you have now, except costs less. No more discrimination for preexisting disease, and at least 85 percent of premiums must go to patient care. Would anybody refute and reject that? I think not.

Public programs—Medicare, Medicaid, CHIP—still available to children, seniors, and families below the poverty level. In fact, we're going to reinvigorate Medicare. We're going to make that vigorous and ensure that payments are made. Then, health insurance exchange, individual, small businesses, subsidized for up to 400 percent of the poverty level, which will include a public plan and private plan.

The good news is that small businesses—and small businesses can be one person that wants to go out and follow their dream. They want to be inventive. They want to be creative. They want to do what they had desired to do maybe from a child. Now they are without health insurance. Their families are without health insurance. Their mother that they may be taking care of, their father, their elderly relative is without health insurance. We give them the opportunity.

And so I want everyone to set their eyes on this as I come to a close about a very important point, and I hope that I can encourage you to be interested in this point, and that is the issue of physician-owned hospitals and specialty hospitals.

I am hoping that we will have an opportunity to recognize how important these hospitals are in care. For example, in the State of Texas, let me make it clear, the economic impact of physician-owned hospitals, which cover eight States, concluded that Texas physician-owned hospitals employ over 22,000 Texans, have a net economic impact of nearly $2.3 billion in Texas, and will pay approximately $86 million in taxes in 2009.

What are they? Many people believe that they are boutique hospitals. No, they're not. They're hospitals in the valley, where people in the valley of Texas—we call that south Texas—had no hospitals. They're a hospital in the heart of downtown Houston in the 18th Congressional District where the hospital was about to close, and it serves a population that some are below the poverty line, some are above it, but it is called St. Joseph Hospital. It was the only hospital that stayed open during Hurricane Ike. So we want to ensure that public hospitals or physician-owned hospitals have their fair chance.

Very briefly, the emergence of physician-owned special hospitals focusing on high-margin procedures have generated significant controversy; yet it is unclear whether physician-owned special hospitals differ significantly from nonphysician-owned specialty hospitals.

The scrutiny on this lacks significant merit. Our objective is to support physician-owned specialty hospitals that deliver a significant share of their services to underserved. That could be part of the criteria. Currently, the House Tri-Committee bill contains provisions that effectively eliminate these services. We would like to see a revision of that.

We have—when I say that many of us who represent these hospitals, I have visited them. I visited one that is in south Texas. It's state-of-the-art. People are healthier. Emergency rooms work, and it works.

I do want to conclude and share just a comment and yield to the gentlelady. I think this is my third one, but I am concluding.

I hope the bill will include a review or that we can review this issue of physician-owned general acute hospitals in

underserved areas. They should not be penalized.

I would like to make sure that we increase health care professionals—I think that is already in the bill—in underserved communities, and especially provide grants to secondary schools.

I came across a program in New York where a nurse by the name of Jose—I'll just call him Jose—is going out to high schools, taking his staff and doing mock operations and having them dress up in scrubs and getting high school and middle school students exposed to health care professionals. I like that idea, and I'd like to see it supported.

Provide tax incentives for the development community health care centers that are environmentally safe. Introduce language providing employers a tax credit to develop preventative services for all employees, and launch a pilot program that seeks to discover proven alternative medicine and also to address the question of abuse of prescription drugs.

Mr. Speaker and to Congresswoman FUDGE, let me thank you for the opportunity to share these thoughts and to be here to show the comparison between the work that's being done by the Democratic leadership and our caucus and the work that is being done or represented to be done by the critics who are, at this point, criticizing the plan.

Let's roll up our sleeves, let's work, and let's do what is right for America, a good health care reform package.

I yield to the gentlelady.

Ms. FUDGE. Thank you so much. I found very interesting the charts that you have there. I'm certainly hoping that people at home will see what we are trying to do for them. Certainly, I think it's important that they understand that our job is to represent them. Our job is to make sure that we can provide the best plan that is possible, and I believe that we are moving in the right direction to do that.

I certainly do want to talk a little bit more about small businesses. That has been a real issue in this Congress, as to what is going to happen with small employers once we move to a plan such as this.

Let me just say that I do sit on the Education and Labor Committee and was able to include an amendment, a very important amendment, that will provide small employers, those who have 100 employees or less, tools that can give them the resources and counseling to help them make better health care plan choices once this plan takes effect.

We want to keep our small businesses very strong. We know that small businesses represent 99 percent of all businesses in America and employ more than 53 percent of our Nation's workforce, so we cannot afford to not help our small businesses.

I don't know why people continue to say, Oh, we're not going to help small businesses. We indeed are. We all understand how important it is. We're going to help them when they have to make the important decisions about affordable health care and coverage for their employees.

I believe that this assistance will greatly reduce the chances of a small business choosing a health care plan that does not serve their interest or that of their employees.

I, too, want to thank the Congressional Black Caucus for their work, and Dr. DONNA CHRISTENSEN, who has worked so tirelessly on our bill, which is the Health Equity and Accountability Act of 2009, which was under her leadership.

But what they're talking about is making it easier for people who live in underserved communities to be a part of America and a part of what it means to be a healthy and well-rounded person in this country.

We're going to talk about improving workforce diversity, strengthening and coordinating data collection, which is so very, very important. We're going to ensure that there is some accountability, and we're going to improve the evaluation and information that comes back to us so that we can say, Yes, we are doing well, or, No, we need to change, or, We can get better at this area.

So we're going to work very, very hard to improve all health care services for all Americans.

I want to just thank you for spending some time with me. I certainly do believe that if we put together the kind of plan that is on this chart, then we're going to do what the American people want us to do.

We know that 72 percent of all Americans today want health care reform. I believe that if we want to do the job that people have sent us here to do—they have given us a direction. They have said we want health care reform, and I believe that it is incumbent upon us to provide that.

Ms. JACKSON-LEE of Texas. Will the gentlelady yield for a moment?

You have eloquently articulated, I think, what our marching orders should be. I would just like to add an addendum to the vastness of what we're doing.

I want to congratulate you for that amendment. With the rising number of seniors who are now reaching the point where good medicine is keeping them where they can be with their families, this bill is going to be looking at home care. We appreciate the vast network of nursing homes, but we're finding out that that's more efficient, to be able to keep seniors in their home, giving them good care.

I'm experiencing it firsthand with a senior mother who is lively at home and enjoys the neighbors but needs home care. And it's a very important aspect of our work. We're going to do that.

I love the expression or the emphasis on prevention. Why weren't we doing this before? We can then have a generation who has been engaged in preventative medicine, making them healthier middle-aged people or healthier seniors.

The other point I think is important is the returning soldiers that will be coming home—some on active duty. They do have a system of health care. It's called TRICARE. I'm very glad one of our hospitals has been named a TRICARE site, historically black hospital.

But we'll have all of those individuals that will be out and about needing health care, whether its veterans, whether it's through the TRICARE system, or whether or not they will be going to a civilian system. That is why health care is so important.

I yield back to the gentlelady by simply saying I'm proud to be able to stand by a system that responds to the needs of all Americans.

Today, I stand with my fellow colleagues in an unprecedented era, an era that can bring about change that all of us can believe in. During the 2008 campaign, the American people cast a vote for change, and in an unprecedented move elected Barack Obama as the 44th President. With his election, the country made a bold statement. They realized the Nation was in peril with skyrocketing costs—that were driving many in the 18th Congressional District and other throughout this country into bankruptcy.

Faced with these challenges, America decided to make a calculated risk of monumental reform. Today, as we tackle this reform of the Nation's health care system, we must not become idle spectators and allow any debate over policy divide our country and serve as an excuse to maintain the status quo. The fact is, those who are not eligible for Medicare, Medicaid, or any form of private insurance, in most cases end up in a dangerous position, uninsured. Today, there are over 47 million Americans uninsured.

I am required to alert the citizens of America that this single issue affects every single American and if we do not enact the appropriate kind of reform, Congress will have failed by giving the American people less than what they deserve.

The rising uninsured Americans and medical costs today are a direct link to the economic future of America. Healthcare reform is no longer a choice for Congress to make, it is a necessity. So I pose the question, what will be the reform needed to ensure a brighter future in our health care system? From a cost savings analysis, having a public option included in our reform is the least expensive option that will ensure quality affordable coverage for all Americans. In fact, the House Tri-committee bill has been confirmed to remain deficit neutral by the Congressional Budget Office.

The Public Option, similar to Medicare, will provide a publicly driven health care system, unique to the U.S. and separate from what is in place in any other country. The program will ensure: (1) Early and periodic screening, diagnosis and treatment; (2) Case management for chronic diseases; (3) Dental and mental health services; and (4) and even language access services.

The U.S. healthcare system is broken and if not remedied in the immediate future, consequences will be far greater than anything we

can measure. That is why many of us are fighting for reform to improve the health in every State, city, county, and American.

However, though a public plan will ensure so much, there are still some issues that need to be addressed in the Tri-Committee bill.

(1) Ensure physician owned general-acute hospitals that provide services in underserved communities are protected;

(2) support and strengthen language to increase health care professionals in underserved communities, especially provide grants to secondary schools in underserved communities;

(3) provide tax incentives for the development of Community Health Care Centers that are environmentally safe;

(4) introduce language to provide employers a tax credit to develop preventive services for all their employees;

(5) launch a pilot program that seeks to discover proven alternative medicine; and

(6) in the wake of ongoing abuse of prescription drugs, introduce language that will launch a Pilot Program to Reduce Abuses of Prescription Drugs.

This legislation will not be easy, but if we want true reform we must guarantee no one will fall through the cracks. This means solidifying every hole in our current health care system. In order to ensure this, allowing those hospitals that serve a high indigent patient base maintain daily operations. The emergence of physician owned hospitals has generated significant controversy. Yet, it is unclear whether physician owned hospitals differ significantly from those not owned by physicians. Currently the House Tri-Committee Bill, contain provisions that will effectively eliminate physician owned hospitals. ''The Economic Impact of Physician-Owned Hospitals in Eight States'' concluded that Texas physician-owned hospitals, which employ over 22,000 Texans, have a net economic impact of nearly $2.3 billion on Texas economy and will pay approximately $86 million in taxes in 2009.

St. Joseph Hospital is a general acute hospital, in Houston, TX, and the only hospital in the Houston area to remain totally operational throughout Hurricane Ike in September 2008. The limitations in the health care bill will particularly harm the hospital's ability to deliver much needed services to underserved communities. If a hospital like St. Joseph is eliminated, countless people in Houston will not receive adequate care. I seek to work with all my fellow colleagues, even those across the aisle to introduce language to exempt those hospitals like St. Joseph.

Achieving diversity in our health programs must include diversity in our health profession. We need to enact a system that includes people of every race, religion and socio-economic backgrounds. By proposing language that awards grants to the secondary education system in underserved areas to encourage students to seek health professions will improve our health care system. Encouraging young teens and young adults to pursue health care careers in areas of low population are often times only done through scholarships and grants to relieve those financial barriers that keep so many young children reaching for their dreams.

With the recent passage of the Clean Energy Act, a call for new advances in technology can be implemented in our health care system. Permitting incentives for the construction and renovation of community health centers to one of the four standards set by the National Green Building Association—Bronze, Silver, Gold, and Emerald, will ensure that the patients will be treated in an environmentally safe building. Increasing funding aims to improve the air quality and other environmental features of buildings used for the provision of health care services particularly targeting underserved communities.

While these services are great for physicians and the patients who see them, Americans are having a harder time preventing ever seeing a medical physician. Safeway has implemented a program that provides preventive services to their non-unionized employees. Based on the belief that rising health care costs are mostly driven by behavior (smoking, eating poorly, not checking your cholesterol, etc.), I seek to introduce language that will allow companies to establish a program that gives periodical screenings, questionnaires, prevention-related facilities like fitness clubs, along with advice and referrals to help improve behavior. Ensuring discounted premiums or refunds for those employees passing the screenings or showing improvement and establishing higher premiums for failing tests and no measurable improvement in behavior will hold people accountable and gives them incentives to live a healthy life style. This is the approach of Safeway, and it has kept Safeway's health care costs to $1 billion or so a year, mostly flat over the past five years. This achievement few other companies can claim.

When it comes to healthcare, just about everyone wants alternatives, especially options that include alternative and complementary medicine. This is why introducing an amendment to provide what a large majority of respondents expect healthcare providers to do is so important. The majority of society wants more research dedicated to alternative medicine, and believes insurers and Federal healthcare programs should cover the cost of those therapies. Seventy-seven percent of the public favor more research. I seek to work with my fellow colleagues to introduce an amendment to launch a pilot program to prove alternative medical treatments, medicine, and services are safe. In doing so legislation can be enacted and will ultimately lower costs and provide the majority of the population requested sources.

Though this reform seeks to improve the lives of every American citizen, it's important we consider every American citizen. In the sudden and tragic death of Michael Jackson, introducing language to study the abuse of prescription drugs by professional entertainers. Abuse of drugs often times has an impact that goes well beyond the individual performers, and frequently encourages impressionable young people to imitate this behavior. Depiction of such conduct in film and other video programming may also lead young people to mimic harmful behavior therein relating to prescription drugs. With this study, Congress can be guided on how best to address this dilemma and ensure the life of our children and celebrities alike.

It brings great joy that the Congressional Black Caucus are at the forefront to lead our country in taking the initial steps to secure our economic future, health of our society, and the ideals of our country. There are those who want to destroy our initiatives, seek to divide our country, and maintain the status quo, and I ask my fellow colleagues in Congress to ensure the quality of our life will not fall to the ideals of those who seek this effort. It's been a long time coming, but in this Congress and administration, America will now see a brighter day.

Ms. FUDGE. Let me say this as well as we talk about preventive health care. I do live in a community where we do have some of the best health care in the world. But what I also know is it costs three times as much to go to a hospital emergency room as it does to your doctor's office.

What I envision with this preventative care is people who now only see a doctor when they are so sick that they have to go to an emergency room will now go to see a physician on a regular basis, that they will go and have annual physical exams, they will go and have their mammograms, they will go and have their cancer treatments.

They will do that because it will be less expensive. They will have the health care to do it. We're going to make sure it is accessible because we're going to put money into these community clinics so that they can get to these clinics and go on a regular basis.

I just believe that if we do this, we're going to see a much healthier and happier America. We're going to be able to take care of our seniors, to take care of our children. I think it's going to make a huge difference in where we go as a Nation.

So I just want to be as supportive as you have been and as all of us are as we look at where we're going to take this country as it relates to health care.

With that, Mr. Speaker, I so much thank you for the opportunity to address you and this body, and I yield back the balance of our time.

DEMOCRAT'S VERSION OF HEALTH CARE

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

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to be recognized to address you here on the floor of the House and in the aftermath of the previous Special Order that has discussed primarily the health care and health insurance issue here in America.

I notice continually the expression ''health care'' gets substituted for the expression ''health insurance.'' There is a distinction. Everybody in America has access to health care, which means everybody in America has health care. Everybody in America does not have health insurance.

When we blend our verbiage, sometimes it's intentional and sometimes it's not. I catch myself occasionally using the wrong expression because our debates here blur the two. It's comparable to the situation when people say ''immigrants.'' They sometimes

mean illegal immigrants and sometimes they mean legal immigrants. Sometimes they mean legal and illegal immigrants. Well, health care and health insurance have been blended the same way, but there are distinctions.

We should remember, everybody in this country has access to health care. Everybody in this country that needs service will get service. We're talking about how we address those that are uninsured, not those that don't have access to health care or that do not have health care.

I thought it was interesting that the gentlelady from Texas put up the poster: Republicans' ideas on health care—or health insurance. I've forgotten which that is. I look back on last week, the gentleman from Ohio (Mr. RYAN) put up a poster that actually had about the same title to it. The gentlelady from Texas' poster was blank on Republican ideas and the gentleman from Ohio's poster was full of question marks on Republican ideas, but they were both generated by the same people. The Democrat majority caucus produces these posters that come here to the floor.

□ 2100

But we are full of all kinds of ideas. I am happy to talk about those ideas, Mr. Speaker. Some will say that you can't beat something with nothing, and I would submit that you can beat bad ideas with most anything. And a really, really bad idea is socialized medicine, national health care, HillaryCare, ObamaCare, United Kingdom Care, Canadian Care, European Union Care. All of that is bad stuff. Freedom is good stuff. I am all about freedom, and these proposals that are coming from the Democrat majority are about diminishing our freedom, about taking away our rights, about taking away our responsibilities and in the process of doing so, devolving downward the American vitality, the American Dream, the American can-do spirit.

What kind of American would sit around and wring their hands and say, Woe is me, I can't figure out how to take care of myself? Did anybody come to America and walk through the Great Hall at Ellis Island, thinking, I'm so glad I am here now in this welfare state where I don't have to worry about taking care of myself, woe is me no longer because the United States of America will take care of me?

That kind of people didn't come through Ellis Island. Ellis Island now is a tourist center. The United States of America is a welfare state. Now they sneak into the United States, thinking, Yes, America will take care of me. They think that they have now arrived at the giant ATM of the Western Hemisphere that will provide for everyone's wants and needs. And if they aren't so sure, they just have to listen to Congress here for a while, and somebody over on this side of the aisle, as a rule, will articulate some other defined want of some people that's not a need. But even though it's just a want, not a need, it will be declared to be a right and maybe even a constitutional right.

We have got to understand what we're doing here. It's real people that are working, real people that have jobs, real people that toil away to produce goods and services that have a marketable value; and they're being taxed day after day, month after month, tapping into the sweat of the brow of the salt of the Earth people in America.

They're being told, Your taxes won't increase. It will just be everybody else's taxes that increase and that ObamaCare is going to be a better deal than whatever care you have. But if you like yours, then you don't have to worry because if you like the health care you have, you get to keep it. That's what the President said, correct? If you like the health care or the health insurance—I'm not sure which phrase he was actually talking about—if you like it, you get to keep it.

The problem is, it's not true. The President of the United States, however powerful he is, cannot make that promise with any sense of confidence that he can keep that promise because it will not be the President that decides whether Wal-Mart, for example, keeps the health insurance programs that they have in place for their employees. That will be decided by the management of Wal-Mart who, a little over a week ago, announced that they would support an employer-mandated program that requires employers to provide health insurance for employees. Now once they made that decision, it didn't necessarily mean that they endorsed the Obama plan because it really isn't quite yet an Obama plan. There are only concepts throughout and some language that is moving through this House. But what it said was that they would endorse an employer-mandated plan.

Now that opens the door for Wal-Mart to be in a position to make the decision when the public option, the Federal Government-run health insurance policy would be set up to compete directly against the many hundreds of private health insurance policies that we have.

For the President to say, If you like your health insurance policy, fine, you get to keep it, you only get to keep it until there is an alternative there that might be a better alternative for your employer. Your employer, like Wal-Mart or any other proud private sector company that's there that is providing health insurance for a majority of their employees, will be making a decision on whether they want to opt into the public plan or they want to maintain the private plan; but also the newly-to-be-named health insurance czar will be writing some new rules for every single health insurance company in America.

Now that lays the backdrop for what was said over this last hour and the way we need to be thinking about what transpired here within the last hour. However, I've also come here to talk about a number of different things.

One of them is that if we remember correctly, Speaker PELOSI came to this Congress, and she said that she was going to drain the swamp. She was going to drain the swamp of corruption and alleged that there was corruption. Night after night a team would come down here for years—I would say 2 or 3 or 4 years—and make allegations about certain Members of Congress, allegations about the motives of certain Members of Congress. The comments about the culture of corruption was fairly baffling to me. You can point to examples on either side. But NANCY PELOSI pledged that she would produce the most open Congress in history and that there would be legitimate debate, and there wouldn't be favorites being played.

Now here is an example of what NANCY PELOSI said. She said, ''I don't want to have legislation that is used as an engine for people to put on things that are not going to do what we are setting out to do, which is to turn this economy around. I have the most to prove with this package. The choices we are making are those that will work, that must work. Our economy requires it. America's families need it. This is urgent.'' That's Speaker NANCY PELOSI, January 25, 2009, this year, the end of January.

That was her statement about how we were going to direct the efficiency of the stimulus plan to doing what's good for our economy. We're going to turn this economy around. Well, I came down to the floor and put up this very same picture. This very same picture is of a saltwater marsh harvest mouse. This is the saltwater marsh harvest mouse. It's a mouse that Speaker PELOSI has been trying to get special earmarks for for a long time. And as she has been resisted on that, I pointed out that in the stimulus package, there were $32 million set aside for the saltwater marsh harvest mouse. I came to the floor with a picture of this mouse and the numbers up on top.

Of course, the spokespersons for the Speaker, the defenders of the status quo, and the defenders of the person that was going to come here and clean up this Congress, the one who has now established the most draconian Congress, I believe, in history, the one that is the least deliberative body in history, the one who has launched an all-out assault on this deliberative democracy and said that she didn't have an earmark in the stimulus bill for this saltwater marsh harvest mouse and others in her defense said, Steve King made it up. He just pulled a number out of the air and made an allegation that there was an earmark in there for the saltwater marsh harvest mouse.

However, now here we are far enough down the road, here are the real facts: the $32 million has been reduced to $16.1 million. Now the saltwater marsh harvest mouse not only has his own special earmark of $16.1 million, it sets aside his brackish little marsh down there by San Francisco so that he can

hop around in it and sets aside a marsh down there near San Francisco at the cost of $16.1 million, Madam Speaker, which is no economic stimulus plan.

We're going to do the things that count. We're going to do the things that do the most for the economy. The language here: turn this economy around. We're going to do that by setting aside a hopping zone for a pet project here. This little pet, the saltwater marsh harvest mouse, he gets an earmark. You can't quite see it there, but he needs that ear notched a little bit because now he is a $16.1 million earmark.

All this borrowing, expanding the debt to the American people, the American taxpayers and Americans not yet born, to where the debt for every man, woman and child in America today totals up to over $37,000 per individual. Still their hearts are hardened, and still they want to raise the debt, and still they want to spend money on frivolous projects that don't have a merit that affects the people that are paying the taxes, nor could a project like that ever gain the support of the majority of the people in this Congress.

This is like the little mouse bridge to nowhere, $16.1 million for the little pet project, notched little earmark, the saltwater marsh harvest mouse, the pet project of Speaker PELOSI. She said she came here to clean up this process to make sure that there weren't favorites, and President Obama went on at great length about how he wasn't going to sign any bill that had any earmarks in it. Then he signed a bill with about 9,000 earmarks in it, and then President Obama made other remarks about the integrity of the process.

Yet we've seen earmark after earmark, billions and billions of dollars that have been unfolded here going on our debt, stacking it up against the American people. We've seen a process that has been shut down where we get surprise bills that get dropped on us. The stimulus package was a last-minute drop on us, and we could count not days but hours of reading and understanding what's in a bill. Thinking in terms of 1,000 or more pages with 8 or 10 hours to read the bill and then try to analyze all that it means when bills reference other sections of existing code, they reference definitions that exist in other places; and then if you get something like that read through, you also have to figure out what's not in it, what's missing, what's been omitted and, furthermore, what are the implications of what is in it, and what are the implications of what's missing.

That's why we need the public. There is no one person—in fact, all 435 Members of this House of Representatives do not have among them, even if given enough time, the ability to analyze the implications of big pieces of legislation on their own, not without our staff, not without our constituents, not without people that have a direct responsibility for the components of the legislation that affects them the most.

Good legislation is written by Members of Congress that go out among the districts and among the real people that are working for a living and paying real taxes out of their income and their profits, taking a look at the circumstances of what's right and what's wrong, listening to the proposals that come from them and putting together careful legislation that brings about a right result.

Once that's put together, and then you float that out to get the input from Democrats and Republicans; and it isn't just the input from the people that sit in these seats, Mr. Speaker. It's the input from the American people that talk to the people that sit in these seats who make the difference. When you short-circuit this process, when you take this process and bypass the committee process or do a mock markup, a sham markup in a committee process and pass a bill out and then do a bait-and-switch and bring a different bill to the floor than passed out of the committee—and it has happened at least three times this year, a different bill came to the floor than was passed out of the committee because they didn't like an amendment that actually passed in the committee—they don't seem to understand that the job of the Speaker or the job of the Chair of a committee is to bring out the will of the group. That's the essential responsibility of someone who is the Speaker or someone who is the Chair of a committee, bring out the will of the group.

It's not to impose their will on the group but to bring out the will of the group even when the Chair of the committee recognizes that there are good ideas coming before the committee but maybe it doesn't exactly fit the politics that they've been directed to bring about out of committee, and when an amendment comes out of committee like, example for, an amendment that would have blocked all funding to ACORN to have the Chair afterwards change the language, send a different bill or a different piece of substance to the floor of the House of Representatives, and the Members here have a right to have full confidence that the bill that comes to the floor reflects the product of the committee, too often it does not.

The window for reading a bill and debate and deliberation has been so short that on the cap-and-trade bill, that big bill of 1,100 pages that we had a very short time to digest, was brought to the floor, was filed, scheduled for debate; and at 3:09 a.m. there was a 316-page amendment to an 1,100 page bill that was dropped into the RECORD at 3:09 a.m.; and that morning we took the bill up.

□ 2115

And we are to debate and deliberate and understand and evaluate with good judgment and due diligence the implications, ramifications and factors that come out of one of the biggest, most important bills in the history of this Congress? I believe Congress made, the House of Representatives made the most colossal mistake ever made in the history of this House. Three hundred sixteen pages at 3:09 a.m. on an 1,100-page bill. If you wanted to read it, no one had a chance to read it. No one had an opportunity to evaluate it. It was a surprise tactic. Actually, it wasn't a surprise. We have gotten to the point where we expect those kinds of tactics. But that is bad policy. If you are passing legislation that cannot withstand the light of day, it should be pretty clear that it must be bad legislation, and the American people will reject it.

To read a bill and have time to read a bill, I would direct, Mr. Speaker, your attention, and the public's attention, to section 108 of the Legislative Reorganization Act of 1970 which reads in part, A measure or matter reported by any subcommittee shall not be considered in the House unless the report of that committee, upon that Member or matter, has been available to the Members of the House for at least 3 calendar days. And that is 3 calendar days prior to the consideration of that Member or matter in the House of Representatives.

We have a law, Mr. Speaker, we have a law that requires 3 calendar days to read a bill. But Mr. Speaker, the ''saltwater marsh'' Speaker, the ''personal earmark for brackish wetlands'' Speaker, insists that a bill can come to the floor, and it can be a bill that no one has seen, it can be one that is written in the Speaker's office, and it can have an amendment right behind it written also in the Speaker's office just as a surprise tactic, and before the public can understand what is going on, actually before they can even believe someone would tear asunder this deliberative body in the process, it is an act of the House of Representatives messaged over to the Senate, and on the cap-and-trade bill, the 1,100 pages sat down here, the 309 pages didn't. And when the gentleman from Texas (Mr. GOHMERT) asked the question, do we have a bill before us that is the subject of our debate? The answer that came from the Speaker's chair was—I don't remember exactly, but I remember the response: Well, we don't quite have it yet, but everyone knows what we are talking about.

So after many exchanges, finally, we suspended the operation for about 35 minutes while we went through this exchange of trying to determine, what is the subject of our debate? Shouldn't the House of Representatives have, even if no one else can get their hands on the paperwork or the electronic version, shouldn't the United States House of Representatives have at least one copy of the subject? Have got a dictionary over here, a big unabridged dictionary. It is there if someone were to argue about what the English language is. But we are here arguing about a bill that no one can look up and read. No one can verify if we are accurate. The

bill's amendment was not here. The bill was. The amendment wasn't. Later they brought the amendment down and began to integrate it. It takes a long time to integrate 316 pages into 1,100 and to get it right.

And the question was asked, If this bill passes the House and it is not available for inspection by any Members of the House, is it possible for us to message over to the Senate if it doesn't exist at the time of its passage? Well, somehow, we did. But it shouldn't be possible. The process has to be right.

We should follow the law. We should follow this section of the law that is section 108 of the Legislative Reorganization Act of 1970. That is one of the laws we should follow. We should follow the law of common decency and respect for each other and respect for the process and the Founding Fathers and for the Constitution and do due diligence and not put generational legislation up and pass it because there was a political momentum to get it done before anybody can see what it is that we are actually doing here and do it sometimes in the middle of the night.

I would be really happy to yield to the gentlelady from Minnesota, who I know has been very engaged in these issues and on top of helping to clean up some of the open doors that are here for the culture of corruption that exists under this leadership of the House of Representatives.

I yield so much time as she may consume to the gentlelady of Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. Mr. Speaker, I thank the gentleman from Iowa for this moment just to be able to speak about what is happening here in Washington, D.C. I don't think anyone has ever seen anything like what we have seen in the recent months, and we can even trace it back to last fall when the Democratic Congress could not wait to get passed the TARP funding bill together with the former Bush administration.

They were in a hurry, just like the gentleman from Iowa has stated. We are seeing that this is a Congress that is in a hurry, in a hurry because they have got an agenda. They are on a steamroller path. They are on a blitzkrieg path. They have to get everything done yesterday. We can't have time to read bills. We can't take time to truly count the costs, because we are in a hurry. There is an agenda that has to be performed.

We heard the President of the United States tell the Democrat Caucus just last week, We can't miss this opportunity for reform. We have got to get it done. We have to do it now. We can't wait. We have got to do everything now. That is what we were told last fall. We were told that we would see economic Armageddon if we didn't pass the $700 billion TARP bill.

What was that? That was a blank check. We were told, Just trust me. It was a ''trust me'' defense. We were told, Just trust the Treasury Secretary. They have to have $700 billion, or we will see an absolute collapse of the financial world. And so we were all pushed into it. I voted ''no'' on that bill. But the Democratic-controlled Congress passed the $700 billion bailout for the banking system and also for the foreclosure and the subprime mess that we are in.

Well, where are we at today with the subprime mess? We are seeing foreclosures still at a record high. We are seeing unemployment still at a record high. Did this help us, this $700 billion blank check that went to the Secretary of the Treasury? What did that lead to?

Well, President Obama was all for the TARP bailout when it came, when he was Senator Obama, and then we saw in December when he was President-elect Obama, he prevailed upon the President. He said, We can't wait, we have got to hurry. We can't wait until January until I'm sworn in as President. I'm asking you, President Bush, to release to the Automobile Task Force something like $17 billion so we can bail out GM and so we can bail out Chrysler, because it has to be done today. We can't wait until January when I'm sworn in. It has got to be done today.

So President Bush gave that $17 billion to the Automobile Task Force at President-elect Obama's request. And we all know what happened. We saw what happened to Chrysler. It essentially collapsed in a shotgun wedding to Fiat. A foreign car company was brought in and forced to purchase and buy out Chrysler. We saw the bondholders, whose rights were virtually stripped away from Chrysler, and we saw the UAW instead jump in front of the bondholders and take advantage of that position, and now the Federal Government and the UAW and Fiat own that company.

What happened to GM? We saw that UAW owns that company and the Federal Government now, as of the Friday before last, is the 61 percent shareholder. What did that get us? One hundred fifty thousand jobs lost. Because we saw pink slips go to 3,400 dealers of Chrysler and GM across the country, and 150,000 people, potentially, are out of work. Well, then we had to get the stimulus passed, the largest spending package in the history of our country, $1.1 trillion. Think of that: $1.1 trillion. But it had to be done today. And we didn't have time to read that bill, oh, no, sir. We can't read that bill because this is too important. President Obama told us we had to pass that bill.

The bill was passed by Congress. I voted against it. Representative KING voted against the stimulus bill. But President Obama had to have that bill. Well, did he sign it? No. He went to Chicago. He went to play basketball. He took 4 days, rather than passing this bill he had to have in his hands, because he had to have this $1.1 trillion stimulus bill.

Well, we didn't get that bill very much ahead of time either, and it was a little bit embarrassing because of all the earmarks that bill contained. Oh, we weren't told they were earmarks, but they were earmarks nonetheless. All sorts of special projects were in that bill.

Then we were told we had to pass the budget bill, an 8 percent increase over the previous budget bill. We had to pass it right away. We couldn't wait and have extra time for debate, no, no, no. We had to pass that bill now because otherwise bad things might happen.

Well, what has happened? What happened as a result of the stimulus bill? We were told if we didn't pass that stimulus bill, we could see 8 percent unemployment. Wouldn't that be terrible? What is unemployment today? Nine point five percent. In the State of Michigan it is 15.2 percent. What about jobs? What about all the jobs that were created? Two million jobs have been lost since the stimulus bill was put forward. One hundred fifty thousand jobs were lost because the government got involved in GM and Chrysler and handed out pink slips. This isn't going real well for us.

Then cap-and-trade, cap-and-tax, the ultimate authority that government could have over every person's life in the United States. Literally, every time we flick on a switch, it will be the government telling us how much we are going to pay to flick on that switch, or if we can even have the power to do that. Cap-and-trade, the mother of all bills, and we got that bill 13 hours before we passed that bill. Thirteen hours before, 1,100 pages, but don't worry, trust me. Trust me. It will bring good things to this country. And what will that give us? We already know. Two and one half million jobs a year leave the United States. We might as well call it the ''China-India stimulus plan'' because we are going to lose 2.5 million jobs, bye bye, away they go, out of the United States.

And then what is the next bill we have in front of us? Well, an article today in the newspaper says that on this health care bill that we are looking at, that by the way, we have got to pass, it was revealed last week, here it was, 1,018 pages long, that the next day Members of Congress had to vote on it, and the House Ways and Means Committee revealed to the public that the next day we need to be prepared to vote on a 1,018-page bill.

Mr. Speaker, it isn't that Members of Congress are lazy. And it isn't that Members of Congress are too stupid to be able to read these bills. It is the fact that the Democrat leadership in this House is unwilling to allow us to read the bills. We even had the majority leader, STENY HOYER, probably in an accident, admit that if many Members of this body actually read the bills, there probably would be very few votes. As a matter of fact, the gentleman from Iowa has the quote of the majority leader, and it says ''If every Member pledged to not vote for the health

care bill if they hadn't read it in its entirety, I think we would have very few votes.''

I would agree with the leader. I think that there would be very few votes if Members of Congress would read this bill. That is why the Obama administration and the Democrat leadership are steamrolling these bills through before anyone has time to be able to read it because they know, as was written in the paper today, this is by Christina Romer, President Obama's Council of Economic Advisers chairwoman, she said that this bill will cost employers $300 billion. It will cost workers 5 million jobs. Well, let's think about that now. Five million jobs from health care loss, and that doesn't include the taxes that would be put on small businesses, so it is 5 million there, 2.5 million from cap-and-trade, that is every year though, and then 2 million from the stimulus, 150,000 from GM and Chrysler. I don't think we are going in the right direction.

And this is from a President who said that he wouldn't be raising taxes on 95 percent of the American people. Unfortunately, it appears that that promise has already been broken.

I yield back to the gentleman from Iowa.

Mr. KING of Iowa. I thank the gentlelady from Minnesota. And I can't help but reflect that the President's earliest promise on this stimulus package was that he would create or save 3.5 million jobs and that got lowered down to 2 million jobs altogether. But the instant those words came out of his mouth, I thought, why would someone say ''create or save?'' ''Create or save,'' what does that mean? What would be the point of a promise that he would ''create or save'' 3.5 million jobs? And the answer, of course, is that if you say, I will create 3.5 million jobs, then you have to identify which jobs it is that you have created. Was it Caterpillar who he said had actually signed on with him in his stimulus plan? Was that an assumption on the part of President Obama? So where are these jobs that you would create? You would have to point to them and get a CEO that said, Yes, because of this stimulus plan, I have opened up this new production line, and here are 20,000 jobs here, and you add them all up, and you have to come up with 3.5 million. But if you say ''create or save'' jobs, you can always point to existing jobs and claim that you have saved them.

So in the analysis of his rationale, if someone is going to create or save 3.5 million jobs, if they are remaining, if they haven't been laid off except for the last 3.5 million and you can say, Oh, yes, they are the ones I saved. I saved the 3.5 million that were left, even though we may have lost 137.5 million jobs in the process, and he would be telling the truth.

This is a situation where we have the master of ambiguity. We do have the master of mesmerization going on at the same time. People hear what they want to hear because the language is crafted to speak to our hearts instead of our heads.

□ 2130

When he says I'll create or save 3½ million jobs, that is mostly on the save side, not on the create side, because this has gone south in a sad way. And we've seen our unemployment go from the promise that it could go above 8 percent to 9.5 percent. How many people is that, Mr. Speaker?

Well, the number is 14½ million unemployed. That's the ones on the unemployment roll. Then there's another 5.8 million people that don't qualify for unemployment that are looking for a job. So you add the total up to that, and it isn't hard to get up in that number of over 20 million.

And there was an article written just the other day. I believe it was in National Review. I've forgotten the name of the author that had done the calculation of this. And the projection was that it's closer to 25 million people unemployed, especially when you account for those that are underemployed, those that have seen their hours reduced.

So we have had the data that shows that unemployment, the extended period of time that people are claiming unemployment is longer than it's been. I believe the number is the longest it's been in 48 years of unemployment. And at the same time that was extended, the length of unemployment benefits, we've also seen people who are working fewer hours per week. So we have a lot of underemployed that don't qualify yet as unemployed.

This economy that's here completely misunderstands what this economy is about. This is the experiment of the Keynesian economists on steroids; the people that believe that you can borrow money to no end, grow government to no end, replace private sector jobs with government jobs, and stimulate the economy with borrowed tax dollars, and buy goods that are made in China and borrow money from the Chinese to buy them.

This whole circle doesn't work. You have to produce things that have value, and you have to lay out the truth when you do it.

I want to go back to this statement that I made earlier, and just very briefly point out section 108 of the Legislative Reorganization Act of 1970 that says this. And without reading all that language through, it says, 3 days to read a bill or we're not going to take it up on the floor. That's the law. That's the law, but apparently the Speaker of the House isn't bound by the law, and I hope that there was a way to enforce that. And I actually don't know how we enforce such a law. Republicans are doing all they can do, everything they can do procedurally.

This is the quote, of course, from the majority leader that said, if every Member read the bill, well, there wouldn't be a bill because they would come to grips with their senses or else the public would make sure that they did.

This is a list of the bills that were rushed through to the floor, and many of them were addressed by the gentlelady from Minnesota (Mrs. BACHMANN). But here in the 111th Congress, every controversial bill passed by the House has been forced through in less than 3 days, in violation of this section of the code here. In less than 3 days. Every one has violated this section 108 of the code, every one of these controversial bills.

And to take you through them, the American Recovery and Reinvestment Act of 2000, the stimulus bill. I guess I didn't really know what the real name was. The stimulus bill, $787 billion that was rammed through in less than 3 days. Violation of public law 108, section 108.

Children's Health Insurance Program, SCHIP, rammed through, and this violates the very principle that SCHIP was established on in the first place, and it's designed to bring about, to close the gap so that we end up with a mandatory national health care act. It's one of the incremental changes that are there. They actually passed out of this House a bill that was 400 percent of poverty, that would have paid people's health insurance so that children in families making over $102,000 in Iowa, and some of those families would have been paying the alternative minimum tax, in fact, 70,000 families in America would have been, well actually in the end, are paying the alternative minimum tax even though their children's health insurance is paid for because SCHIP is designed to pay health insurance on children whose families can't afford it.

So, $102,000. Tax them some extra in the rich man's alternative minimum tax. And we tax them so much they can't afford to provide health insurance for their children, so we buy them health insurance, and we rush the bill through. And by the way, in there it opens up the door for Medicaid to provide health care for illegals under Medicaid. That rule was also changed in this and the data that I put out holds up to be fact.

The Lilly Ledbetter Fair Pay Act of 2007. That was the bill where Lilly Ledbetter alleged that she was discriminated against in a job way back some years ago. There was a statute of limitations on that bill, on the legislation that she sought to sue her employers under. The statute of limitations had expired, long past. And still Democrats argued that, even though the Supreme Court upheld the statute, that they thought it just wasn't fair. The old ''it ain't fair'' brothers got at it again and decided that they wanted to change the rules after the fact.

I'm okay with changing the rules after the fact, as long as it doesn't affect the people that were living under the law at the time, during the fact. But this was retroactive. This was like

double jeopardy for the taxpayers. And the Lilly Ledbetter Act rammed through this Congress.

The Paycheck Fairness Act, rammed through Congress. Omnibus Public Land Management Act of 2009, rammed through. Omnibus Appropriations Act of 2009, the big stacked bill that runs the government when you're afraid to do appropriations in a legitimate way, rammed through. No amendments either, by the way.

Then, to impose an additional tax on bonuses received from the TARP's AIG bonuses. So we had to ram through TARP, and then when the rules weren't written in TARP with any oversight, then AIG decided to pay millions of dollars of bonuses to people that worked for them, retention bonuses they were. But 11 of the people no longer worked for AIG. They got part of the millions in retention bonuses, too. That had to be rammed through because Democrats were vulnerable to public criticism because they had passed legislation that opened the door, and they rammed legislation through quickly so there wasn't an opportunity to evaluate, debate, amend or scrutinize. And the result was hundreds of millions of dollars paid off to provide retention bonuses for AIG executives, at least 11 of whom didn't work for AIG anymore. So we had to pass some legislation to take the public's pressure off of the people that opened up the door for that legislation. So that was that.

The Supplemental Appropriations Act of 2009, rammed through. The American Clean Energy and Security Act, which, I'm sure—yeah, here we are. The cap-and-tax bill, rammed through. All of these major bills rammed through in violation of public law section 108. Three days to read the bill. That's the law.

You know, they've got the votes to repeal any piece of legislation that's been passed by any previous Congress. When you've got the votes to do that, you would think you have—remember the audacity of hope that comes from the White House? You would think you'd at least have the audacity to change the law instead of violate it. That's what I'm seeing here in this Congress, and it really irks me to see people do this to our Congress and to our system.

This is the President's promise. I spoke to it but not—I didn't quote it. The President said, We need sunlight before signing bills. Too often bills are rushed through Congress and to the President before the public has the opportunity to review them. As President, I will not sign any nonemergency bill without giving the American public an opportunity to review and comment on the White House Web site for 5 days. Barack Obama.

Does that sound like anything we've seen him do?

Mrs. BACHMANN. If the gentleman would yield.

Mr. KING of Iowa. I'd yield.

Mrs. BACHMANN. I'm wondering what he means by that, by 5 days. Does that mean that once the bill gets to the President, he'll allow it just to rest on his desk for 5 days? People would have a chance to comment?

But it also seems, the public law that the gentleman from Iowa displayed, Members of Congress are supposed to be able to get a chance, too. I think this is wonderful that the President wants the American people to have 5 days to be able to read a bill, but I think it would be wonderful if Members of Congress could have 5 days to read a bill before we vote on it. After all, maybe we should all take an Evelyn Wood speed reading course, because if we have to read over 1,000 pages or 1,100 pages in a bill in 13 hours, we're going to need to have maybe those recordings where they're sped up a little bit so it sounds like Alvin and the Chipmunks reading a bill to us. I don't know what it's going to take, but Members of Congress should also have the opportunity to be able to read the bills, and to do that, we need to have time, too. So this doesn't say much.

If President Obama says that a bill should just maybe be on his desk for 5 days, if Members of Congress aren't also given that courtesy, after all, we are the people's representatives. We're sent here on behalf of the people back home to read these bills, talk about these bills between Republicans and Democrats. Isn't that what we're supposed to do, talk to each other, talk about what our ideas are, what the ideas on the other side of the aisle are, make the bill a little bit better, then put it on the floor?

Maybe part of the problem, I wonder, is the fact that we're just trying to do things a little too fast. That's what it seems like to me, that maybe this Congress is trying to rush through too much too fast. Maybe that's why we have a greater deficit than we've ever seen before.

We ran out of money in April. Back in April, this Congress spent all the money that it had in its budget already in April. So every day we've been spending billions and billions and billions, every single day that we don't have. And so now, today, it's July, we're already over $1 trillion in deficit. We're going to be nearly $2 trillion in deficit.

And here's something else I don't understand. The President is supposed to release, in mid-July, the budget update. We have the numbers already, but the President has said he's going to wait until mid-August to release his budget update.

Now, this is a little concerning to me, a little fishy to me, because we're being told, Mr. Speaker, that in less than 2 weeks' time the President of the United States expects that we will pass legislation that would allow the Federal Government to take over 17 percent of the private economy.

Now, there was an economist from Arizona State University 2 weeks ago on the front page of the Washington Times who wrote an article that said, we now have the Federal Government, for the first time, having control or owning 30 percent of all private business profits in this country. Thirty percent of all private business profits in America are owned or controlled by the Federal Government today.

If President Obama and if the Democrat-controlled Congress gets their way, that will be an additional 17 percent.

Now, this President's only been in office for 6 months, and already 30 percent of the private business profits are owned or controlled by the Federal Government. Now, by August 1st he wants to make that 47 percent? I certainly hope we can read these bills first before we're asked to do that.

I yield to the gentleman from Iowa.

Mr. KING of Iowa. I thank the gentlelady from Minnesota. And as you talk about that percentage, 30 percent, the private business profits in the country, who would have been believed a year ago or 8 or 9 months ago, who would have believed that eight huge private sector entities would be nationalized by this administration?

We have three large investment banks nationalized by this administration, one large company, AIG Insurance, nationalized. Fannie and Freddie used to be private, became a government-sponsored enterprise, and now they're wholly owned by the Federal Government, with about $100 billion dropped into each and about $5.5 trillion in contingent liabilities wrapped up in Fannie Mae and Freddie Mac. And of course we have General Motors, 61 percent, and Chrysler a smaller percentage. I don't remember that exact number.

But then you've got, also, the Canadians that own about 12½ percent of General Motors and the unions that own 17½ percent of General Motors. There's not a lot left out there for the bondholders, the people that were the secured creditors, because they got aced out.

Who would have thought eight huge entities, hundreds of billions of dollars, and taking these companies off, out of the private sector and put them into the hands of government control?

And the President fires the CEO of General Motors and hires his guy, Fritz. And the President cleans out the board of directors at General Motors and appoints all but two of the board of directors of General Motors.

And then he says, the President says, I'm not interested in the day-to-day operations of General Motors. I don't think we should be running the place. I don't want to do the nationalization of this. It is just something that we have to do.

And here's the irony of it. President Obama was elected at least in part because he attacked George Bush for going into Iraq and not having an exit strategy. Now, President Obama has gone in and nationalized these eight

huge private sector companies that I have listed here, and he says he doesn't want to be nationalizing and he doesn't want to be in the day-to-day operations, but he names the CEO, replaces the board of directors. His car czar is on the phone every day with the chairman of the board of General Motors, sometimes multiple times a day. Well, that was the former car czar. We don't know what the future car czar is going to be. We've got 32 czars.

□ 2145

The President is in the formerly private sector. He got invested in all of that. He found a crisis, capitalized on it: nationalized. Now, I have read the Web page for the Democratic Socialists of America. That is exactly their plan. It is in print. In fact, it's more aggressive than on their own Web site. The President has nationalized proud private-sector corporations, and he has done so without an exit strategy.

All at the same time, he has been critical of President Bush for not having an exit strategy in Iraq. President Bush's exit strategy in Iraq is in print. It's called the SOFA Agreement, the Status of Forces Agreement, negotiated and agreed to by President George W. Bush. The exit strategy for Iraq was victory, victory with honor, victory and leave a legacy of a self-governing democracy of a moderate country that could govern themselves and that could control their own national destiny.

All of that is in place today, and President Obama is carrying out the exit strategy of George Bush to the letter, spelled out in the Status of Forces Agreement, without a peep in the media about what's going on over there. All they talk about is we're deploying out of Iraq. No, we're deploying out of Iraq cities back to the bases because the surge worked.

Now, President Bush had an exit strategy. He didn't talk about it completely because he had to be a little flexible. He carried out his exit strategy. He ordered the surge. He negotiated the SOFA Agreement. He handed over an Iraq in a war that was won. The war was won on the day that Barack Obama took the oath of office here just outside these doors, and now it needs to be sustained and maintained. Afghanistan is a lot harder, but there is an exit strategy in place set by George Bush. There is no exit strategy for these eight private companies that have been nationalized by President Obama.

When I see the picture of President Obama standing next to Hugo Chavez and when they ask me what that tells me, I say, you know, the chief nationalizer is our guy, not their guy. Our guy has nationalized more companies and more billions of dollars' worth of privately held assets than Hugo Chavez ever dreamed of doing—well, at least within the last year. Chavez might have added a bit more companies over time, but so far this year, he has only taken out one Cargill rice plant, and has nationalized that in Venezuela.

It is a chilling thought to think of how fast this Nation has lurched to the left. We've leaped off of the abyss, and we've got to figure out how to fly to get back to where we are in the free markets again.

So I would be happy to yield to the gentlelady from Minnesota to pick up from there.

Mrs. BACHMANN. I thank the gentleman from Iowa.

There is a lot to contemplate when we're talking about this national takeover of health care. The gentleman has every reason to be concerned because, when the government takes over an area of American national life as we have seen, the American people are the ones who lose control and who lose choice over their economic destinies.

Here is one thing we've been hearing about from the Speaker of the House. She has been talking about how this nationalization of health care will be paid for through prevention, that we'll have new prevention in place that will keep Americans healthier and that we will realize something like over $500 billion in savings in prevention.

Well, where is it? Itemize it. What is it that we aren't doing now that we're going to see dramatically occur in prevention? It isn't there.

It's not going to materialize because we know where the savings will come from. It will come from the Federal bureaucracy, and we have the Federal bureaucracy that's contained in the bill that the Democrats have put forward. This big mess that's on this chart shows 32 new Federal Government agencies. This is what will stand between any American and his doctor. So think of an American standing on that side of the paper with 32 bureaucracies. You've got to get through this labyrinth, Mr. Speaker, before you can get to your physician.

Now, is this what Americans want?

A study was just completed that showed that 89 percent of Americans today are happy with the health care that they receive. Another study that was done said 77 percent of Americans are happy with the health care that they receive. Now, that doesn't mean that our health care system is perfect. It isn't. One of the greatest things that we can do is to make all Americans' medical expenses deductible on their insurance. That would be something great that we could do for the American people because the biggest problem in health care today is not access; it's the cost. Health care premiums are going through the roof. Well, what can we do?

We could change the Tax Code, and we could allow Americans to purchase their health care the same way they purchase their car insurance—across State lines, buy in pools, bring down the price, have true competition, and allow small clinics like the MinuteClinics, for instance in Minnesota, to be set up all across the United States. Have health savings accounts so that you control your own costs, and you take it with you. The government doesn't own your health care. You do.

Mr. Speaker, this is the plan that President Obama wants for the American people, a great labyrinth of bureaucracy. How are you ever going to get your health care if you've got to go through this bureaucracy?

One thing we know about bureaucracies is they justify their own existences, and they all make a lot of money. The average Federal employee today makes about $75,000 a year plus benefits. There are a lot of people out there who would love to make $75,000 a year. Well, we're creating 32 new bureaucratic agencies. This is nonsense. This is about a government-created welfare bureaucracy. That's what this is about. It's not about insuring more Americans, because even under the Democrats' own forecast, not all Americans are even going to be covered.

Potentially, about half of the people who are uninsured now can afford to pay for that insurance. Of the other half who can't afford it, we have a good amount of people who are under 35 who are in very temporary situations. About a third of those people are illegal aliens. Truly, only somewhere between 12 and 16 million people aren't insured. That out of 305 million? Surely, we can find an answer for them.

Why wreck the health care that 89 percent of Americans say they like so that we can give government control over 17 percent of the American economy? Why do we want to do this?

This is President Obama's vision for American health care. It's not what Americans want. There is no savings extracted out of prevention, not to the level that they're talking about. We need to get real about health care, and that's why the American people need to melt the phone lines of their Members of Congress. They need to let them know what they think about this plan before it's too late.

I yield back to the gentleman from Iowa.

Mr. KING of Iowa. I thank the gentlelady from Minnesota.

Having seen the Technicolor, modern version of the National Health Care Act that has been delivered to us courtesy, so far, of a committee or two here in the House of Representatives, I went back through the archives and dusted off this scary concept here. Some will look at this and will recognize what this is:

This is the 1993–1994 HillaryCare version. This is a copy of the poster that is the precursor to the full color one that Mrs. BACHMANN put up. This poster was on my wall in my construction office back in those years, and it actually hung there for years. I hung it there for years as a reminder to me of what they could cook up if you put people in a room and closed the door.

Remember, this was a secret process, too. It was driven about the same way.

It's a process that they don't want the American people to weigh in on, so they met in secret week after week with all of this intensity and with all of these—Ira Magaziner, do you remember that name? Harold Ickes was another one. These people were meeting in there. They were smart people. They put smart people in a room. I can tell you what happens when you put a whole lot of smart people together and you give them an assignment, Mr. Speaker. Highly intelligent people will always overcomplicate things. The reason they do that is, otherwise, there wouldn't be any particular advantage to being highly intelligent.

So you could just go down to the simple solution to the complex problems and let human nature take over, and all would go on just fine. But, no, we put highly intelligent people in place, and these are generally liberal elitists who are working to try to create this utopia here on Earth because they do think that is the ''be all and end all'' for them. It is not for us.

So here is the HillaryCare version. I look down through this list, and there are some things that concern me a lot: the Regional Health Alliance, the ombudsman. Why do you need him? You need another ombudsman here. The Accountability Health Plan, that sounds really familiar. I think that might be different lingo there. The HMO provider plan, I don't know that that's in there. HMOs were de rigueur then, but now they have reached a little bit of criticism. Here is one, the global budget. Why do you need a global budget to provide national health care?

So of all of these things on this schematic, this schematic, this scary flowchart, is, I think, the biggest thing that sunk HillaryCare back in the '90s because the American people looked at that, and it scared them that anyone could cook up such a schematic. This is the black-and-white version that could be printed back then, which was just shortly after the advent of the Internet.

Mrs. BACHMANN has the full Technicolor version, and I would appreciate it if the camera would turn there.

If the camera would focus on the colored chart, on the bottom are two identical-sized purple circles. The one on the left is the qualified health benefits plan, and the one on the right is the Obama plan, the Obama health insurance plan. The white box to the left of the left purple circle is the existing health insurance, the traditional health insurance plans. None of them could qualify to sell insurance to any American until the health insurance czar qualifies them to go into the purple circle, the qualified health benefits plan circle. The health insurance czar would be the guy who would make sure that the new public health plan that was written could compete with the private plans.

So if you're going to write the rules for your guy, are you going to make one size fits all? Are you going to put conditions on those private insurance plans so that the public plan can compete? Or are you going to take the public plan and try to get it to compete with the private sector? I think it's the former, not the latter. I think we will see a one size fits all.

Mrs. BACHMANN. Will the gentleman yield?

Mr. KING of Iowa. I would be happy to yield.

Mrs. BACHMANN. That was the aspect of the Hillary plan. It was an outlawing of all private insurance. The one thing we know from page 16 of the 1,018-page bill is that no more private insurance policies can be written—never, nada. You can't write any more private insurance. Of course, if the public option is subsidized by government at 30 to 40 percent less than the private insurance plans, what we know from the Levin Group is that 113 million Americans will be collapsed out of private insurance and will be put over into the government option, thus collapsing the private insurance industry. It will all be government, and that's within 5 years that we will see the end of private care in the public.

Mr. KING of Iowa. Mr. Speaker, I appreciate your indulgence, and I know I've convinced you deeply, and I would yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CAPUANO (at the request of Mr. HOYER) for today.

Mrs. MCCARTHY of New York (at the request of Mr. HOYER) for today through July 31 on account of back surgery.

Mr. CRENSHAW (at the request of Mr. BOEHNER) for today on account of being unavoidably detained in the district.

SPECIAL ORDERS GRANTED

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

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

Ms. WATERS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

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

Mr. CARTER, for 5 minutes, July 22.

Mr. POE of Texas, for 5 minutes, July 27.

Mr. JONES, for 5 minutes, July 27.

Mr. BUCHANAN, for 5 minutes, July 22.

Mrs. SCHMIDT, for 5 minutes, today.

Mr. MCCOTTER, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, today, July 21, 22, 23 and 24.

Mrs. BACHMANN, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 57 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 21, 2009, at 10:30 a.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:

2727. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Use of Commercial Software (DFARS Case 2008-D044) (RIN: 0750-AG32) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2728. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Motor Carrier Fuel Surcharge (DFARS Case 2008-D040) (RIN: 0750-AG30) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2729. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Lease of Vessels, Aircraft, and Combat Vehicles (DFARS Case 2006-D013) (RIN: 0750-AF39) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2730. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Lead System Integrators (DFARS Case 2006-D051) (RIN: 0750-AF80) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2731. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Limitation on Procurements on Behalf of DoD (DFARS Case 2008-D005) (RIN: 0750-AG24) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2732. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Acquisition of Commercial Items (DFARS Case 2008-D011) (RIN: 0750-AG23) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2733. A letter from the Assistant Secretary, Reserve Affairs, Department of Defense, transmitting the National Guard ChalleNGe Program Annual Report for Fiscal Year 2008, pursuant to 32 U.S.C. 509 (K); to the Committee on Armed Services.

2734. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting Selected

Acquisition Reports (SARs) for H-1 Upgrades (4BW/4BN) as of December 31, 2008, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

2735. A letter from the Assistant Secretary, Global Security Affairs, Department of Defense, transmitting the Department's 2009 Annual Reports to Congress, pursuant to Section 234 of the National Defense Authorization Act for Fiscal Year 1998; to the Committee on Armed Services.

2736. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for General Service Fluorescent Lamps, Incandescent Reflector Lamps, and General Service Incandescent Lamps [Docket No.: EERE-2007-BT-TP-0013] (RIN: 1904-AB72) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2737. A letter from the Deputy Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 09-36, concerning the proposed Letter(s) of Offer and Acceptance for defense articles and services, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2738. A letter from the Vice Admiral, USN Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 09-27, concerning the proposed Letter(s) of Offer and Acceptance for defense articles and services, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2739. A letter from the Deputy Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 09-30, concerning proposed Letter(s) of Offer and Acceptance for defense articles and services, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2740. A letter from the Director, National Legislative Commission, American Legion, transmitting a copy of the Legion's financial statements as of December 31, 2008, pursuant to 36 U.S.C. 1101(4) and 1103; to the Committee on the Judiciary.

2741. A letter from the Attorney, Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Marinette Marine Vessel Launch, Marinette, Wisconsin [Docket No.: USCG-2009-0462] (RIN: 1625-AA00) received June 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2742. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — Interim Statement of Agency Policy and Interpretation on the Hours of Service Laws as Amended; Proposed Interpretation; Request for Public Comment [Docket No.: 2009-0057, Notice No. 1] received June 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2743. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a semi-annual report concerning emigration laws and policies of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan, pursuant to Sections 402 and 409 of the 1974 Trade Act, as amended; to the Committee on Ways and Means.

2744. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting a copy of the Commission's ''June 2009 Report to the Congress: Improving Incentives in the Medicare Program'', pursuant to Public Law 108-173, section 507(c)(3) (117 Stat. 2297); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 2498. A bill to designate the Federal building located at 844 North Rush Street in Chicago, Illinois, as the ''William O. Lipinski Federal Building'' (Rept. 111–213). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 2093. A bill to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes, with an amendment (Rept. 111–214). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 1665. A bill to structure Coast Guard acquisition processes and policies, and for other purposes (Rept. 111–215). 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. WAXMAN (for himself, Mr. MARKEY of Massachusetts, Mr. PALLONE, Mrs. CAPPS, Mr. SARBANES, and Ms. SCHAKOWSKY):

H.R. 3258. A bill to amend the Safe Drinking Water Act to enhance the security of the public water systems of the United States; to the Committee on Energy and Commerce.

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

H.R. 3259. A bill to establish the Grants for College Access and Completion Program; to the Committee on Education and Labor.

By Mr. BECERRA (for himself and Mr. RYAN of Wisconsin):

H.R. 3260. A bill to amend the Internal Revenue Code of 1986 to make the expensing of environmental remediation costs permanent law; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 3261. A bill to permit an individual to be treated by a health care practitioner with any method of medical treatment such individual requests, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURTON of Indiana:

H.R. 3262. A bill to ensure that the goals of the Dietary Supplement Health and Education Act of 1994 are met by authorizing appropriations to fully enforce and implement such Act and the amendments made by such Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURTON of Indiana:

H.R. 3263. A bill to amend the Internal Revenue Code of 1986 to provide that amounts paid for foods for special dietary use, dietary supplements, or medical foods shall be treated as medical expenses; to the Committee on Ways and Means.

By Mr. CONNOLLY of Virginia (for himself and Mr. BILBRAY):

H.R. 3264. A bill to improve Federal internship programs to facilitate hiring of full-time Federal employees, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY of Virginia (for himself and Ms. NORTON):

H.R. 3265. A bill to amend the Federal Water Pollution Control Act to reduce pollution resulting from impervious surfaces within the Chesapeake Bay watershed, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KLEIN of Florida (for himself and Mr. WHITFIELD):

H.R. 3266. A bill to establish a grant program to encourage the use of assistance dogs by certain members of the Armed Forces and veterans; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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. MEEK of Florida:

H.R. 3267. A bill to amend the Internal Revenue Code of 1986 to provide relief with respect to the children of members of the Armed Forces of the United States who die as a result of service in a combat zone; to the Committee on Ways and Means.

By Mr. REICHERT (for himself and Mr. SMITH of Washington):

H.R. 3268. A bill to amend the Rules of the House of Representatives and the Congressional Budget and Impoundment Control Act of 1974 to increase earmark transparency and accountability, and for other purposes; to the Committee on Rules, and in addition to the Committees on the Budget, Standards of Official Conduct, the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EHLERS (for himself, Mr. DICKS, Mr. PETRI, Mr. MICA, Mr. DENT, Mr. EDWARDS of Texas, Mr. MCDERMOTT, Mr. TIAHRT, Mr. BILBRAY, Mr. BROWN of South Carolina, Mr. LARSON of Connecticut, Mr. PAUL, Mr. INSLEE, Mr. GRAYSON, Mr. RODRIGUEZ, Mr. ROHRABACHER, Mr. ALEXANDER, Mr. BOYD, Mr. OLSON, Mr. WOLF, Mr. LAMBORN, Mr. FILNER, and Mr. CALVERT):

H. Con. Res. 167. Concurrent resolution supporting the goals and ideals of National Aerospace Day, and for other purposes; to the Committee on Science and Technology.

By Mr. CONYERS (for himself, Mr. SMITH of Texas, Mr. SCHIFF, and Mr. GOODLATTE):

H. Res. 661. A resolution instructing the managers on the part of the House of Representatives in the impeachment proceeding now pending against Samuel B. Kent to advise the Senate that the House of Representatives does not desire further to urge the articles of impeachment against Samuel B. Kent; considered and agreed to. considered and agreed to.

By Ms. SCHWARTZ (for herself and Mr. SAM JOHNSON of Texas):

H. Res. 662. A resolution supporting the goals and ideals of ''National Save for Retirement Week'', including raising public awareness of the various tax-preferred retirement vehicles as important tools for personal savings and retirement financial security; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

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

H.R. 24: Mr. Letkemeyer.

H.R. 39: Mr. MILLER of North Carolina.
H.R. 138: Mr. MORAN of Kansas.
H.R. 211: Mr. MASSA and Mr. ROTHMAN of New Jersey.
H.R. 235: Mr. PETERS.
H.R. 268: Mr. LATHAM.
H.R. 330: Mr. GRIJALVA.
H.R. 393: Mr. AUSTRIA.
H.R. 406: Ms. KILROY.
H.R. 426: Mr. GRIJALVA.
H.R. 470: Mr. SCHOCK.
H.R. 557: Mr. CAMPBELL, Mr. TURNER, Mr. WITTMAN, Mr. LATTA, and Mr. PITTS.
H.R. 560: Mr. LOBIONDO.
H.R. 613: Mr. CONNOLLY of Virginia and Mr. ORTIZ.
H.R. 673: Mr. KRATOVIL.
H.R. 718: Ms. FOXX and Mr. MCHENRY.
H.R. 775: Mr. FRANKS of Arizona, Mr. TURNER, Mr. INSLEE, Mr. LUETKEMEYER, Ms. EDWARDS of Maryland, and Mr. BOCCIERI.
H.R. 891: Mr. SESTAK.
H.R. 953: Mr. SHUSTER.
H.R. 977: Mr. SHULER.
H.R. 1147: Mr. FOSTER.
H.R. 1162: Mr. WILSON of South Carolina.
H.R. 1197: Mr. GRAYSON.
H.R. 1206: Mr. CONNOLLY of Virginia and Ms. GINNY BROWN-WAITE of Florida.
H.R. 1207: Mr. VISCLOSKY, Mr. SCOTT of Georgia, Mr. TIERNEY, and Mr. BOUCHER.
H.R. 1208: Mr. SHIMKUS, Mr. CRENSHAW, Mr. SHUSTER, and Mr. CAMPBELL.
H.R. 1305: Mr. MARCHANT.
H.R. 1339: Mr. CARNAHAN.
H.R. 1402: Mr. COOPER.
H.R. 1427: Mr. PAUL.
H.R. 1428: Mr. STARK.
H.R. 1479: Mr. BUTTERFIELD.
H.R. 1525: Ms. SPEIER.
H.R. 1548: Mr. RUPPERSBERGER.
H.R. 1570: Mr. POSEY and Ms. CORRINE BROWN of Florida.
H.R. 1587: Mr. TURNER.
H.R. 1618: Mr. REYES, Mr. LUJÁN, and Mr. SKELTON.
H.R. 1646: Mr. CAPUANO, Mr. ELLISON, Mr. SHULER, Mr. MCCOTTER, and Mr. MASSA.
H.R. 1691: Mr. YOUNG of Alaska and Ms. HERSETH SANDLIN.
H.R. 1700: Mr. LYNCH and Mr. WEXLER.
H.R. 1799: Mrs. MCMORRIS RODGERS.
H.R. 1873: Mr. GRAYSON.
H.R. 1881: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1970: Mr. RADANOVICH.
H.R. 1977: Mr. MCDERMOTT.
H.R. 2024: Mrs. BLACKBURN.
H.R. 2061: Mr. WAMP.
H.R. 2072: Mr. SCALISE.
H.R. 2112: Mrs. MALONEY.
H.R. 2137: Mr. SCOTT of Virginia, Mr. BACA, Mr. CONYERS, and Ms. CLARKE.
H.R. 2139: Mr. KLINE of Minnesota and Mr. MEEK of Florida.
H.R. 2160: Mr. YOUNG of Alaska.
H.R. 2166: Mr. SMITH of Nebraska.
H.R. 2203: Mr. PATRICK J. MURPHY of Pennsylvania, Mr. CAMPBELL, and Mr. KLINE of Minnesota.
H.R. 2215: Mr. LEVIN.
H.R. 2296: Mr. FLEMING, Mr. GOHMERT, Mr. RYAN of Wisconsin, Mr. WAMP, and Mr. GRAYSON.
H.R. 2329: Mr. HODES, Mr. BLUMENAUER, and Mr. BERMAN.
H.R. 2342: Mr. CRENSHAW.
H.R. 2373: Mr. HARPER, Mr. BOOZMAN, and Mr. KIRK.
H.R. 2381: Mr. COHEN.
H.R. 2413: Ms. HERSETH SANDLIN, Mr. ROSS, Ms. JENKINS, and Mr. MORAN of Kansas.
H.R. 2452: Mr. AUSTRIA and Mr. SCOTT of Georgia.
H.R. 2478: Mr. SARBANES.
H.R. 2499: Mr. HENSARLING.
H.R. 2515: Mr. GRIJALVA.
H.R. 2516: Mr. YOUNG of Alaska.
H.R. 2522: Mrs. CAPPS.
H.R. 2546: Mr. COSTELLO.
H.R. 2558: Mr. MICHAUD.
H.R. 2567: Mr. RYAN of Ohio.
H.R. 2632: Mr. LAMBORN and Mr. TEAGUE.
H.R. 2637: Mr. PLATTS.
H.R. 2672: Mr. WAMP.
H.R. 2709: Ms. DELAURO and Mr. HASTINGS of Florida.
H.R. 2744: Mr. GRAYSON.
H.R. 2819: Mr. DOGGETT.
H.R. 2882: Mr. PRICE of North Carolina and Mr. STARK.
H.R. 2897: Mr. SIRES, Mr. THOMPSON of Mississippi, and Mr. HASTINGS of Florida.
H.R. 2924: Mr. SESTAK.
H.R. 2941: Ms. TSONGAS.
H.R. 2964: Mr. BOCCIERI.
H.R. 3006: Mr. GENE GREEN of Texas and Mr. BLUMENAUER.
H.R. 3029: Mr. INGLIS.
H.R. 3032: Mr. MICHAUD.
H.R. 3036: Mr. NYE.
H.R. 3042: Mr. LEVIN and Ms. ROYBAL-ALLARD.
H.R. 3044: Mr. MARCHANT, Mr. DUNCAN, Mr. THOMPSON of California, Ms. JENKINS, Mr. KRATOVIL, Mr. POE of Texas, Mr. COBLE, and Mr. NEUGEBAUER.
H.R. 3088: Mr. GRAYSON.
H.R. 3119: Ms. CHU.
H.R. 3126: Ms. SLAUGHTER.
H.R. 3144: Ms. JACKSON-LEE of Texas and Ms. ROS-LEHTINEN.
H.R. 3149: Mr. FILNER.
H.R. 3155: Ms. CORRINE BROWN of Florida, Mr. CRENSHAW, and Mr. SMITH of New Jersey.
H.R. 3167: Mr. BURTON of Indiana and Mr. AUSTRIA.
H.R. 3186: Mr. WEXLER.
H.R. 3219: Mr. BOCCIERI.
H.R. 3221: Mr. BLUMENAUER and Ms. BORDALLO.
H.R. 3226: Mr. GARRETT of New Jersey, Mr. SHIMKUS, Mr. ROGERS of Kentucky, Mr. SENSENBRENNER, and Ms. GRANGER.
H.R. 3231: Mr. BOOZMAN and Mr. BILIRAKIS.
H.R. 3245: Mr. FILNER.
H. Con. Res. 16: Mr. MCCOTTER.
H. Con. Res. 74: Mr. KLEIN of Florida, Mr. COSTA, Mr. SCOTT of Georgia, Mr. DELAHUNT, and Mr. MCMAHON.
H. Con. Res. 81: Ms. BORDALLO.
H. Con. Res. 94: Mr. MCGOVERN.
H. Con. Res. 98: Mr. HONDA and Mr. CARNAHAN.
H. Con. Res. 102: Mr. FILNER.
H. Con. Res. 129: Mr. FORBES, Mr. FILNER, Mr. BISHOP of Georgia, and Mr. HINCHEY.
H. Con. Res. 158: Mr. MORAN of Kansas.
H. Con. Res. 159: Mr. LEVIN, Mr. LOBIONDO, Mr. LAMBORN, and Mr. COSTA.
H. Con. Res. 163: Ms. BERKLEY and Mr. WU.
H. Con. Res. 165: Mr. SABLAN and Ms. FUDGE.
H. Res. 57: Ms. ROS-LEHTINEN.
H. Res. 111: Mr. HIGGINS and Mr. GRAYSON.
H. Res. 270: Mr. MINNICK.
H. Res. 278: Mr. GRIJALVA.
H. Res. 412: Ms. ROYBAL-ALLARD.
H. Res. 414: Mr. SCHOCK.
H. Res. 541: Ms. BORDALLO.
H. Res. 583: Mr. KISSELL.
H. Res. 591: Mr. BACHUS.
H. Res. 592: Mr. QUIGLEY.
H. Res. 595: Mr. ELLISON, Ms. NORTON, and Ms. WATERS.
H. Res. 596: Mr. ELLISON, Ms. NORTON, and Ms. WATERS.
H. Res. 605: Ms. KAPTUR, Mr. MCCAUL, Mr. BONNER, Ms. JENKINS, Ms. BERKLEY, and Mr. GORDON of Tennessee.
H. Res. 607: Mr. TURNER.
H. Res. 613: Mr. LATTA.
H. Res. 614: Mr. POLIS of Colorado.
H. Res. 619: Mrs. BONO MACK and Mr. BOOZMAN.
H. Res. 630: Ms. EDWARDS of Maryland, Mr. PRICE of North Carolina, Mr. DICKS, and Mr. HASTINGS of Florida.
H. Res. 654: Ms. JACKSON-LEE of Texas, Mr. BERMAN, Mr. SMITH of New Jersey, Mr. ROHRABACHER, Mr. ACKERMAN, Mr. DELAHUNT, Mr. MARKEY of Massachusetts, and Ms. MOORE of Wisconsin.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, MONDAY, JULY 20, 2009 No. 109

Senate

The Senate met at 1 p.m. and was called to order by the Honorable MARK BEGICH, a Senator from the State of Alaska.

PRAYER

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

Let us pray.

Shepherd of souls, who neither slumbers nor sleeps, we seek the completeness that can only be found in You. Lift us above Earth's strident noises until we hear Your still small voice in our inmost being.

Lord, give the Members of this body the wisdom to permit their deep needs to drive them to You. Give them the wisdom to heal divisions and to liberate the oppressed. May Your presence break down every divisive wall and bring a spirit of unity. Silence disruptive voices that would ignite and inflame disunity. Today we again ask Your choicest blessings upon our military men and women and their families who give so much to keep us free.

We pray in the Name of Him who came to set us free. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK BEGICH led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 20, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

SCHEDULE

Mr. LEVIN. Mr. President, following the remarks of the leader, the Senate will resume consideration of the Department of Defense authorization bill. Under an agreement reached last week, there will be up to 40 minutes for debate prior to votes in relation to amendments relating to hate crimes. Those votes would be in relation to one amendment offered by Senator LEAHY or his designee and three amendments offered by Senator SESSIONS. It is my understanding that we may be able to dispose of the Leahy amendment by a voice vote and that the managers are working on the Sessions amendment regarding Attorney General regulations. Upon the use or yielding back of all debate time, the Senate will proceed to a series of at least two rollcall votes and possibly up to four rollcall votes. The votes could occur in the 4 p.m. range. After the Senate disposes of those amendments, we will resume debate on the gun amendment offered by Senator THUNE. Second-degree amendments are in order to the gun amendment. Also under the agreement reached last week, upon disposition of the Thune amendment, Senator LEVIN will be recognized to offer the Levin-McCain amendment relating to the F–22s.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1390, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1390) to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Thune amendment No. 1618, to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

CAP AND TRADE

Mr. JOHANNS. Mr. President, I rise to discuss an Agricultural Committee hearing that is scheduled later on this week. It is an important topic. The hearing is titled ''The Role of Agriculture and Forestry in Global Warming Legislation.'' I look forward to participating. This is the committee's first effort this year to tackle the ongoing climate change debate. It is very important. Much of the discussion in both Houses of Congress has centered on potential new legislation and regulations relative to climate change. Any

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

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kind of new climate-related law would have sweeping consequences that touch every corner of American life. Thus, I have made it clear that any climate change legislation should require a robust, open, and extensive debate on the Senate floor.

Numerous studies have now been released about cap and trade and affect on American life. Those studies also include agriculture. During last year's debate over cap and trade, the Fertilizer Institute released a study stating that the legislation would result in a $40 to $80 increase in the cost to produce an acre of corn. That means higher input costs for livestock producers as well. That same study indicated the cost of producing soybeans would increase from $10 to $20 an acre. Wheat would jump $16 to $32 an acre.

According to one recent analysis, the Waxman-Markey cap-and-trade bill would also have a significant, if not severe, impact on agriculture. If the bill is enacted, farm income is estimated to decrease as much as $8 billion in the year 2012. By 2024, farmers stand to lose $25 billion. An eye-popping $50 billion would be lost by farmers by 2035. Gasoline and diesel costs are expected to increase by 58 percent. Electric rates would soar maybe as high as 90 percent.

Agriculture is an energy intensive industry. Those kinds of increased costs are certainly going to impact this business. These are not isolated studies. The American Farm Bureau Federation, the largest agricultural organization in the country, has also studied these costs. The Farm Bureau reported that if Waxman-Markey were to become law, input costs for agriculture would rise by $5 billion, compared to a continuation of current law. Other studies have indicated in various ways that the likely impact of cap and trade would include increased electricity and heating costs, construction costs, fertilizer prices, higher gas, and higher diesel prices. Different studies come up with varied numbers, but they all paint the same picture—agriculture loses.

None of this should surprise anyone because the bill is specifically designed to increase the cost of energy.

In fact, according to the Congressional Budget Office:

> Reducing emissions to the level required would be accomplished mainly by stemming demand for carbon-based energy by increasing its price.

We also know farmers in America's heartland get hit worse by these high energy costs, and we know that USDA agrees. Last week, USDA officials indicated in testimony to the Senate Environment and Public Works Committee that as a result of cap-and-trade legislation:

> The agriculture sector will face higher energy and input costs.

At the very least, all of this tells us that this is an enormously complicated issue with significant economic ramifications, perhaps as complex as any we will deal with this Congress, not to mention very costly. Given the gloomy predictions about cap-and-trade proposals, it seems clear to me that we need to take an approach that is extensive, methodical, and well thought out. We need more specific and clear analysis to make sure we know—and, most importantly, the American people know—exactly what passage of this bill will mean.

As I mentioned, USDA knows that cap and trade will increase energy prices. Here is the kicker: At the same time the Department also has indicated:

> USDA believes the opportunities for climate legislation will likely outweigh the costs.

Let me say that again: USDA says energy prices will increase, but they think the opportunities for climate change legislation will outweigh the costs. This kind of claim must be based on hard data or it is reckless to make the claim. Such a sweeping conclusion should not be drawn unless the impact is studied and analyzed. If USDA has conducted analysis of increases in farm input costs and weighed them against the measured opportunities, then I applaud their efforts. But if that is the case, it is mystifying that the Department has not shared the analysis, despite having testified before the Senate twice in the 2 weeks preceding this week.

Having served as the Secretary of Agriculture, I know that the USDA has an outstanding team of economists with expertise to do this kind of analysis. That is why last week I sent a letter to the current Ag Secretary, Tom Vilsack, who will testify at the Ag Committee hearing this week. The letter requested USDA to provide the following: A State-by-State analysis of the cost of cap and trade on ag industries; a crop-specific analysis; an analysis of how the legislation would impact livestock producers; finally, USDA's assessment of how many acres will be taken out of production as a result of the bill and what impact this will have on food availability, the cost of food, fiber, feed, biofuels, and other ag products.

Without detailed analysis, USDA's assertions about costs and benefits will simply ring hollow. Why wouldn't the USDA provide this information? Isn't this why the department exists? Agriculture is going to be directly impacted by the legislation. Yet we have no analysis from the people's department. If the people who feed the world are going to get hammered by this legislation, we should know about it. We should debate it, and we should vote on it on this floor.

I hope the third time is the charm for the USDA, and they bring more than rhetoric to Wednesday's hearing. Cap and trade will not affect States, crops or regions equally. It will have a different impact on a corn farmer in Nebraska than on a chicken farmer in Arkansas. Similarly, it will impact a dairy farmer in New York differently than the orange grower in California. We need a State-by-State and commodity-by-commodity analysis. One-size-fits-all will not work. A national average would not paint a true picture. When one is camping, they can't put one foot in the cooler and one foot in the campfire and, on average, it is about right. The same goes for loose assessments that are riddled with averages.

We have a responsibility to seek a full understanding of this legislation's impact on our Nation's farmers and related ag industries. The information I requested is critical to help the Senate and America's producers develop a clearer picture of cost increases for farmers, ranchers, and consumers.

We need the impact analysis to tell us which parts of the country will be hit the hardest and which industries within agriculture will incur the greatest losses as a result of this legislation.

I have asked for this analysis prior to the hearing. I believe it is necessary, and I hope we will have it before the hearing.

I am puzzled by the passage of nearly a full week since my request and no analysis has been provided. I trust the administration has nothing to hide. I will remain engaged in the debate. I look forward to Wednesday's hearing.

With that, Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

Mr. MCCONNELL. Mr. President, I am going to proceed on my leader time.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

SOTOMAYOR NOMINATION

Mr. MCCONNELL. Mr. President, I want to begin by thanking the Judiciary Committee staff, as well as Senators LEAHY and SESSIONS, for conducting a collegial, civil, and dignified hearing on the matter of the Supreme Court nomination. In my view, the hearing was in perfect keeping with the importance of the task before it.

Article II, section 2 of the Constitution says the President ''shall nominate''—''by and with the Advice and Consent of the Senate''—''Judges of the supreme Court.'' It is an obligation that all of us in the Senate take very seriously, even though Senators have not always agreed on the exact meaning of the phrase ''advise and consent.'' In fact, it has been the subject of significant disagreement and struggle over the years.

I remember from my days as a young staffer on the Senate Judiciary Committee in the late 1960s and early 1970s, when the debate flared up over the nominations of Clement Haynsworth and Harrold Carswell after a full century in which appointments to the Supreme Court had more or less been a sleepy Presidential prerogative.

It was during that time that I first grasped the danger of politicizing the process. By focusing on a nominees's

ideology or political views above all else, I feared the Senate would end up distorting its traditional role of providing advice and consent and weaken the Presidential prerogative of making appointments to the Court.

I was so concerned, in fact, about the potential dangers that I wrote a law review article on the topic, which I have repeatedly returned to over the years. Its purpose was to establish a meaningful standard for considering Supreme Court nominees that would bring some consistency to the process.

In the course of developing that standard, I went back and looked at the history of nominations, and I noticed something interesting: Every time a Senator had opposed nominees in the past, the reason for doing so was almost always based on the nominees's ''fitness''—even if it was perfectly clear to everyone else that the Senator's opposition was based on political or ideological differences.

What this polite fiction showed me, quite clearly, was that up until fairly recent history, ideology had never been viewed as an openly acceptable reason to oppose a nominee. And, in my view, this aversion to a political litmus test was a good convention and well worth following if we wanted to avoid gridlock every time the White House switched parties.

So I developed a list of fairly standard criteria that I had hoped would govern the process: A nominee must be competent; have obtained some level of distinction; have a judicial temperament; violated no existing standard of ethical conduct; and have a clean record in his or her life off the bench.

In short, a President should be given great deference on his choice of a nominee, and these criteria certainly allowed that. As a Senator, I have consistently applied these criteria to Supreme Court nominees by Presidents of both parties.

In adhering to this standard, I was confident I had history on my side. Despite a few notable exceptions, during the last century the Senate understood its advice and consent role to be limited to an examination of a nominee's qualifications, not his or her ideology. This attitude is consistent with the Framers' decision, after no little debate, to invest the President, not the Senate, with the power to nominate Justices. They did not want politics to interfere. And that is why it has always been my view that opposing a nominee to the Supreme Court because he or she has a different judicial philosophy than I do was not a valid reason for doing so.

During the Clinton years, I had no illusions about the ideology or political views of Stephen Breyer or Ruth Bader Ginsburg. Justice Ginsburg's views on a number of contentious issues were well known and clearly different than my own, such as her view that Mother's Day should be abolished or that the Boy Scouts and Girl Scouts should be criticized for perpetrating false stereotypes about gender.

Most Americans, and certainly most Kentuckians, do not think those kinds of things. Yet despite that, I and the vast majority of my Republican colleagues voted for Justice Ginsburg. Why? Because the Constitution gave the President the power to nominate. And, in my view, Justice Ginsburg met the traditional standards of competence, distinction, temperament, and ethical conduct.

The vote in favor of Justice Ginsburg was 96 to 3. The vote in favor of Justice Breyer was 87 to 9. I voted for both, just as I had voted for every previous Republican nominee to the high Court since my election to the Senate—consistent with my criteria and based on their qualifications.

In voting for nominees such as Ginsburg and Breyer, it was my hope that broad deference to a President's judicial nominees would once again become the standard. Even if the treatment of Republican nominees, such as Robert Bork and Clarence Thomas, suggested that many Democrats felt differently than I did, it was still possible at that time to imagine a day when the traditional standard would reemerge. As it turned out, that hopefulness was misplaced and short-lived.

Things changed for good during the last administration. It was then that the Democrats turned their backs on the old standard once and for all. Ideology as a test would no longer be the exception but the rule. The new order was firmly established at a Democratic retreat in April 2001 in which a group of liberal law professors laid out the strategy for blocking any high-level conservative judicial nominee. The strategy was reinforced during a series of hearings in which Senator SCHUMER declared that ideology alone—ideology alone—was sufficient reason to block judicial nominees.

These events marked the beginning of a seismic procedural and substantive shift on judicial nominees, and the results were just as I had anticipated as a young staffer. Democrats would now block one highly qualified nominee after another to the appeals court for no other reason than the fact that they were suspected of being too conservative for their tastes.

Miguel Estrada was one of the first victims of the new standard. Because he had been nominated by a Republican, Estrada got no points for his compelling personal story, despite the fact that he had come here as a child from Honduras, went to Harvard Law School, clerked on the U.S. Supreme Court, and served as a prosecutor in New York and at the Justice Department. He was blocked by seven leadership-led filibusters—an unprecedented action for an appeals court nominee.

Opponents of the Estrada nomination were ruthless and eventually succeeded in driving him to withdraw from consideration after more than 2 years of entrenched opposition. He was not alone. Democrats employed the filibuster strategy against an entire block of Republican nominees on the insistence of special interest groups and in complete contravention of Senate tradition—often relying on the flimsiest of pretexts for doing so.

As a result, several widely respected, highly qualified nominees saw what should have been a high honor transformed into a humiliating and painful experience for themselves and for their families; the country was deprived of their service on the circuit court; and the standard I had articulated and applied throughout my career became increasingly irrelevant.

Despite my efforts to preserve deference and keep ideology out of the process, the proponents of an ideological test had won the fight; they changed the rules. Filibustering nominees on the grounds of ideology alone was now perfectly acceptable. It was now Senate precedent.

Some may argue that Republicans were no better since a few of them supported filibusters against two Clinton-era nominees, Richard Paez and Marsha Berzon. It is a flawed comparison. First, neither filibuster attempt got very far. And in both cases, the leadership—the leadership—of the Republican Party, including me, strongly opposed the effort.

Senator Lott, the then-majority leader at the time, voted in favor of allowing an up-or-down vote on both nominees, even though he would ultimately vote against them as nominees to the Ninth Circuit, as did I and the vast majority of our conference. It was our view that a President—and in that instance President Clinton—deserved considerable deference and that therefore his nominees should not be filibustered.

The new standard devolved even further during the Roberts nomination. Judge Roberts was a spectacular nominee, a man whose background and legal abilities, even according to Democrats, made him one of the most qualified Supreme Court nominees in the history of our country. For him, Democrats came up with an even more disturbing test.

Ironically, no one Senator articulated this new test more forcefully than Senator Obama. In a floor speech announcing his opposition to John Roberts, Senator Obama was perfectly straightforward. Roberts was completely qualified, he said. But he still would not get his vote. Here is what Senator Obama said on the Senate floor:

> There is absolutely no doubt in my mind Judge Roberts is qualified to sit on the highest court in the land. Moreover, he seems to have the comportment and the temperament that makes for a good judge. He is humble. He is personally decent.

The reason Senator Obama would vote against Judge Roberts, he said, rested not on any traditional standard, but on a new one, a standard which amounted to a kind of alchemy based on what he described as ''one's deepest values, one's core concerns, one's broader perspectives on how the world

works, and the depth and breadth of one's empathy''—what has come to be known as the ''empathy standard.''

So over the course of the Bush administration the rules completely changed. Not only had it become common practice to block nominees on the grounds of ideology, but now it was acceptable to reject someone based solely on the expectation that their feelings—their feelings—would not lead them to rule in favor of certain groups. Suddenly, judges were not even expected to follow the fundamental principle of blind justice. Deference had eroded even more.

As I have stated repeatedly throughout this debate, empathy is a very good quality in itself. And I have no doubt that Senator Obama—now President Obama—had good intentions, and that his heart was in the right place when he made this argument. But when it comes to judging, empathy is only good if you are lucky enough to be the person or group that the judge in question has empathy for. In those cases, it is the judge, not the law, who determines the outcome. And that is a dangerous road to go down if you believe, as I do, in a nation not of men but of laws—which brings us to Judge Sotomayor.

Over the past several weeks, Judge Sotomayor has impressed all of us with her life story. And the confirmation process is not easy. I admire anyone who goes through it, which is why I was gratified by Judge Sotomayor's statement at the conclusion of the hearing that she was treated fairly by everyone.

But the first question I have to ask myself in deciding how to vote on this nominee is this: How stands the traditional standard for voting on nominees?

Deference is still an important principle. But it was clearly eroded during the filibusters of appeals court nominees early in the Bush administration, and it was eroded even further when Senators voted against John Roberts and tried to filibuster Samuel Alito. Moreover, the introduction of a new standard—the empathy standard—forces us to reevaluate again the degree of deference a President should be granted. Isn't it incumbent upon even those of us who have always believed in deference to be even more cautious about approving nominees in this new environment? I believe it is.

If empathy is the new standard, then the burden is on any nominee who is chosen on that basis to show a firm commitment to equal justice under law. In the past, such a commitment would have been taken for granted. Americans have always had faith that our judges would apply the law fairly—or at least always knew they should. Unfortunately, the new empathy standard requires a measure of reassurance about this. If nominees aren't even expected to apply equal justice, we can't be expected simply to defer to the President, especially if that nominee, as a sitting judge, no less, has repeatedly doubted the ability to adhere to this core principle.

This doesn't mean I would oppose a nominee just because he or she is nominated by a Democrat. It means that, at a minimum, nominees should be expected to uphold the judicial oath that judges in this country have taken since the earliest days of our Nation; namely, that they will ''administer justice without respect to persons, and do equal right to the poor, to the rich, and . . . faithfully and impartially discharge and perform all the duties incumbent upon them under the Constitution and laws of the United States, so help [them] God.''

Looked at in this light, Judge Sotomayor's record of written statements suggests an alarming lack of respect for the notion of equal justice and therefore, in my view, an insufficient willingness to abide by the judicial oath. This is particularly important when considering someone for the Supreme Court since, if she were confirmed, there would be no higher court to deter or prevent her from injecting into the law the various disconcerting principles that recur throughout her public statements. For that reason, I will oppose her nomination.

Judge Sotomayor has made clear over the years that she subscribes to a number of strongly held and controversial beliefs that I think most Americans, and certainly most Kentuckians, would strongly disagree with, but that is not why I oppose her nomination; rather, it is her views on the essential question of the duty of a judge and the fact that there would be no check on those views were she to become a member of the Supreme Court.

In her writings and in her speeches, Judge Sotomayor has repeatedly stated that a judge's personal experiences affect judicial outcomes. She has said her experiences will affect the facts she chooses to see as a judge. Let me say that again. She has said her experiences will affect the facts she chooses to see as a judge. She has argued that in deciding cases, judges should bring their sympathies and prejudices to bear. She has dismissed the ideal of judicial impartiality as an ''aspiration''—an aspiration—that, in her view, cannot be met even in most cases. Taken together, these statements suggest not just a sense that impartiality is not just impossible but it is not even worth the effort.

But there is more. It appears these views have already found expression in Judge Sotomayor's rulings from the bench. The clearest evidence of this is the judgment of the Supreme Court itself. The Supreme Court doesn't take easy cases. It only takes cases where there is no easy precedent, where the law is not crystal clear, cases where somebody's policy preferences can more easily make their way into an opinion. In this vein, it is worth noting that the Supreme Court has found that Judge Sotomayor misapplied the law in 9 of the 10 cases in which her rulings were brought before it. In this term, in fact, she is zero for three. Not only isn't this a record to be proud of, together with her statements about impartiality, it is a record to be scared of if you happen to find yourselves standing in front of Justice Sotomayor.

Her most recent reversal by the Court is a perfect illustration of how her personal views can affect an outcome. I am referring to the Ricci case in which a majority of the Justices of the Supreme Court rejected Judge Sotomayor's decision, and all of them, all nine of them, agreed that her reading of the law was flawed.

This was a case in which a group of firefighters who had studied hard and passed a written test for promotion were denied it because not enough minority firefighters had scored as well as they had. In a one-paragraph opinion that a number of judges on her own court criticized as insubstantial and less than adequate given the seriousness of the circumstances, Judge Sotomayor flatly rejected an appeal by firefighters who had scored highly.

Here was a case where Judge Sotomayor's long history of advocacy for group preferences appeared to overtake an evenhanded application of the law. Judge Sotomayor didn't empathize with the firefighters who had earned a promotion, and they suffered as a result. This is the real-world effect of the empathy standard. If the judge has empathy for you, great, but if she has it for the other guy, it is not so good. That is why you can call this new standard a lot of things, but you certainly can't call it justice.

Judge Sotomayor's record on the Second Circuit is troubling enough, but, as I have noted, at least on the circuit court there is a backstop. Her cases can be reviewed by the Supreme Court. This meant that in the Ricci case, for example, the firefighters whose promotions were unfairly denied could appeal the decision. Fortunately for them, the Supreme Court sided with them over Judge Sotomayor. If, however, Judge Sotomayor would become a Supreme Court Justice, her rulings would be final. She would be unencumbered by the obligation of lower court judges to follow precedent. She could act more freely on the kinds of views that animated her troubling and legally incorrect ruling in the Ricci case. That is not a chance I am willing to take.

From the beginning of the confirmation process, I have said that Americans expect one thing when they walk into a courtroom, whether it is a traffic court or the Supreme Court, and that is equal treatment under the law. Over the years, Americans have accepted significant ideological differences in the kinds of men and women various Presidents have nominated to the Supreme Court, but one thing Americans will never tolerate in a nominee is a belief that some groups are more deserving of a fair shake than others. Nothing could be more offensive to the American sensibility than that.

Judge Sotomayor is a fine person with an impressive story and a distinguished background. But above all else, a judge must check his or her personal or political agenda at the courtroom door and do justice evenhandedly, as the judicial oath requires. This is the most basic and therefore the most fundamental standard of all upon which judges in our country must be judged. Judge Sotomayor does not meet the test.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I congratulate the Republican leader on his statement. I think it was very thorough. I think it was very thoughtful, and I am sure it took a lot of hours of deliberation and observation not only of Judge Sotomayor's record but also of her testimony before the Judiciary Committee. So I congratulate the Republican leader on a very thoughtful statement and one that I think makes very clear the reason he reached the difficult decision to oppose the nomination of Judge Sotomayor for the U.S. Supreme Court.

I wish to say that we are supposed to be on the Department of Defense authorization bill. Obviously, we are not. We are on the hate crimes bill, which the majority leader decided was important enough to replace the proceedings of the Senate on the Defense authorization bill and the very urgent mission we have and obligation and duties we have as a Congress to authorize the means necessary to defend the security of this Nation and the men and women who are defending it. So we will be wrapped around the axle on amendments and which ones are allowed and time agreements. I am not saying this legislation would have moved forward smoothly; there are always some difficulties. But for many years now, I have been involved in the authorization bill, and this is the first time I ever saw the majority leader of the Senate come forward and propose a comprehensive piece of legislation which had not gone through the committee of authorization, and, of course, this side of the aisle then had to, as is our right, propose an amendment of our own. Of course, there is some reluctance on this side of the aisle to agree to a time agreement, and so we go back and forth. Meanwhile, the men and women of the military are in two wars and they don't quite understand why we don't just move forward and do what our oath of office requires us to do, and that is to support and defend the Constitution of the United States. So I will continue to work with the distinguished chairman, and I am hoping we will be able to work together to get the legislation moving again.

I understand there are four amendments to be considered on the hate crimes bill and that a gun amendment has been introduced and there may be amendments on that, and time agreements. Meanwhile, the issue of the F–22 and whether we continue production of it is set aside while we debate nongermane amendments to the Defense authorization bill.

So I guess what is probably going to happen, from previous experience—and I don't know—probably around Thursday, the majority leader will come to the floor and say that we haven't moved forward and we haven't made progress, blame it on this side of the aisle, and file cloture. Then we will have a vote on cloture. I would imagine that given—I don't know how that vote turns out; it depends on whether Members on both sides of the aisle feel their amendments or their views have been adequately addressed.

But I am convinced that we would have moved forward with the authorization bill, that we probably could have addressed the issue of the F–22—and I do not say this side of the aisle is blameless, but I do understand why, when we knew hate crimes was going to be brought up, that those who feel strongly on this side of the aisle—including the fact that it never went through the Judiciary Committee; it has never been reported out but is added on a defense authorization bill—had their concerns. So it is unfortunate. It is unfortunate, and it is not really a good statement about the way we represent the American people, because if there is any legislation we should be moving forward on—and I will take responsibility on this side of the aisle too—that certainly is the Defense authorization bill.

I believe there is an unbroken record of approval of the Defense authorization bill over a many-year period of time. I hope that, on behalf of the greater good, we can sit down and work out amendments and work through the hate crimes and the amendment by the Senator from South Dakota, and we can move forward and get this issue resolved. I don't think it is the right way to do business, particularly when we are talking about the defense of the Nation.

So I pledge to my colleague from Michigan, the distinguished chairman whom I have had the great honor of working with for many years, to try to work through this. But I still maintain that the fact that the majority leader of the Senate felt it necessary to bring a hate crimes bill up before the Senate on a defense authorization bill, which is clearly not germane, triggered this situation we are in today.

Having said that, it is what it is, and so I will go in the back now and see where we can work out amendments, see if we can work out an agreement to have the hate crimes vote, to have the gun vote, and then hopefully work with the target of tomorrow morning for voting on the F–22 since, as we have discussed in the past on the floor of the Senate, the importance of that vote is far transcendent of any single weapons system. It is really all about whether we are going to have business as usual and spend taxpayers' money on what the President of the United States, the Secretary of Defense, the Chairman of the Joint Chiefs of staff, and our other military leaders think should be spent on the Joint Strike Fighter rather than further production of the F–22. From what I understand, it may be a close vote and a very interesting one. I wish we were spending more time debating that than hate crimes and gun amendments.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, first of all, we are operating under a unanimous consent agreement. We have an agreement to vote on the F–22 amendment after 2 hours of debate. We are attempting to schedule that now. People are getting the cooperation of Members for tomorrow morning. That is our goal.

The pending amendments to the hate crimes provision are going to be disposed of this afternoon pursuant to that same unanimous consent agreement. There may be a difference as to how we got to where we are. There is a difference; it was the inability to get the F–22 amendment to a vote, to get a time agreement, which triggered the determination of the majority leader to offer an amendment that Senator KENNEDY had offered about 2 years ago on a Defense authorization bill. It passed the Senate after a long debate.

It is not the first time hate crimes was taken up by the Senate. It is not the first time the hate crimes amendment was offered on the Defense authorization bill. It was offered 2 years ago, and it passed on a 60-to-39 vote, I believe. It was Senator KENNEDY's amendment. Of course, Senator KENNEDY is not available now to offer his own amendment. The majority leader offered it because of Senator KENNEDY's necessary absence.

So now we are operating under a unanimous consent agreement. The pending amendment is Senator THUNE's. It is not germane, but, again, it is not unusual that nongermane amendments are offered in the Senate. We try to keep them to a minimum—those who manage bills—in order to get through the bill.

We are hoping that once the F–22 amendment and the amendment of Senator THUNE are disposed of, we will then be able to get back to germane and relevant amendments. That is our hope. In order for that to happen, we need Members of the Senate to bring those amendments to the floor and tell us they are ready to proceed.

We are working very hard, as we always do, and our staffs are working very hard, as they always do, to clear amendments. I believe we have about 20 amendments that have been cleared already and, at an appropriate time, I believe Senator MCCAIN and I will be able to offer them as a package.

Senator MCCAIN was extremely helpful in getting us to the point where we

could enter the unanimous consent agreement. A vote is scheduled today on our hate crimes-related amendment. We have a time agreement on the F–22 amendment, and a time for voting on that amendment is being discussed. It is my goal that we vote on that amendment tomorrow morning after we debate it.

Please, colleagues, bring your amendments to the floor. We are here. We are ready to be notified of those amendments on which Members of the Senate believe we will need a rollcall vote. We will try to clear as many amendments as we can. We urge our colleagues to notify us now of the amendments they intend to offer.

Mr. President, I ask unanimous consent that amendment No. 1614 be identified as a Kennedy amendment.

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

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business.

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

MOON LANDING ANNIVERSARY

Mr. BROWN. Mr. President, I rise to celebrate the historic event that took place on this date 40 years ago. On this day in 1969, Ohio native Neil Armstrong became the first human to step foot on the Moon.

For those of us old enough to remember that day, it was a day when the stuff of dreams became reality. While that magical moment is still a source of inspiration for young people today, the times in which the landing took place are often forgotten. The United States and the Soviet Union were in the middle of the space race, but the Moon landing was about so much more than who could get there first.

It was the height of a major progressive era in our Nation's history, which saw the establishment of Medicare and Medicaid; saw the Civil Rights and Voting Rights Act signed into law; the creation of Head Start; a time which saw the beginning of the environmental movement in our time, all within about a 5-year period, during that progressive era.

It was also a time of turmoil for America. We were a nation at war. We bore witness to the assassinations, only a year before, of Dr. Martin Luther King and Robert Kennedy.

When America needed heroes—and it did that summer in 1969—it found them in the crew of the Apollo 11 spacecraft.

Despite uncertain times our Nation faced, we refused to succumb. We moved forward in the most American way—working to achieve what others said could not be done.

I was 16 years old when Neil Armstrong took that historic first step. Neil Armstrong is from Wapakoneta, OH, in the western part of the State, with just shy of 10,000 people and a little more than 100 miles or about a 2-hour drive from where I grew up.

I remember those days when I was 16. We had a black-and-white television, and my brother convinced my parents, because we were the only ones among our friends who still had a black-and-white TV, that they should go out and get a colored TV so we could watch the Moon landing. I think my brother knew—although I am not sure—that the Moon landing would be broadcast in black and white. But my brother convinced my parents to get that TV, on which we enjoyed watching Cleveland Indians baseball games and other things after that. Nonetheless, I am sure almost everybody of almost any age remembers, after watching that Moon landing, going outside on that late July night and looking up at the Moon and being private with our thoughts, wondering about these two Americans walking on the Moon, wondering about the other American in the space capsule—not at that time able to walk on the Moon. He was staying inside the space capsule.

I remember, too, 7 years before Neil Armstrong landed on the Moon, similar to most Americans, watching John Glenn, from New Concord, OH, become the first American to orbit the Earth.

So an Ohioan was the first one to orbit the Earth and an Ohioan was the first to walk on the Moon.

Today, such as then, NASA continues to capture our Nation's imagination. While Neil Armstrong will forever be remembered as the Christopher Columbus of our time, his step for all humankind was a culmination of the efforts of thousands of Americans who dedicated themselves to landing on the Moon.

It was more than his crew mates, Buzz Aldrin and Michael Collins. It was more than the hundreds of men and women at mission control. From what is now NASA Glenn Research Center in Cleveland to the hundreds of thousands of scientists and researchers around the Nation, the Moon landing was about the American spirit and know-how. The Apollo 11 Moon landing was a national collaborative success.

As we look back on the past 40 years, we have seen a different country in a different time, with many of the same challenges. As our Nation struggles to pull itself out of the current economic downturn, we have debated what role the government should play in space exploration. While we debate the future of NASA, we must also remember the billions of dollars of economic benefit NASA has brought, and is still bringing, our Nation.

The myth that the Federal Government is incapable of doing great things is shattered when one thinks of achievements such as the Moon landing—not to mention Medicare, Social Security, and all we talked about in that progressive era.

From the six Apollo landings, to Skylab, to cooperation with the Soviet Union, to the shuttle program, to the Hubble telescope, to the space shuttle, and beyond, NASA has touched and improved nearly every aspect of our American way of life.

Those who believe government should sit on the sidelines and merely be an observer in our Nation's future need not look back 40 years but can look at everything NASA has done and what it continues to do today.

Today, NASA, in many ways, is more important than ever. As we work toward a carbon-free economy, we forget that NASA was building the first large-scale windmills in the 1970s. Much of the early work on wind turbine technology development was done at Plum Brook in northern Ohio, near Sandusky, part of NASA Glenn.

In a modern version of the space race, the United States is in a sprint to lead the world in clean energy. NASA's alternative fuel research laboratory, and its solar-powered aircraft, Helios and Pathfinder Plus and its space solar program are just three of the many NASA clean energy programs.

We can create a carbon-free world, and NASA can lead the way, just like it has in aeronautics and space flight. We must never forget the men and women of NASA and their work that enabled the United States to put Apollo 11 on the Moon.

I am proud to cosponsor S. 951, which would authorize the President to award Congressional Gold Medals to Neil A. Armstrong, the first human to walk on the Moon; Edwin E. ''Buzz'' Aldrin, Jr., the pilot of the lunar module and second person to walk on the Moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and the first American to orbit the Earth, John Herschel Glenn.

The bill's sponsor is Senator NELSON of Florida, an American hero in his own right, who has a long history of service to our Nation and NASA.

Today is a celebration of NASA, of the Apollo mission, and a celebration of our country. It is also a celebration of humankind's ability to do great things. Today is a celebration of reaching for the stars in every way.

I yield the floor and suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICDER (Mr. WARNER). Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I am very concerned about legislation that has been added to the Defense bill, the

so-called Hate Crimes Act. Certainly, none of us has any sympathy whatsoever for people who commit crimes of any kind, particularly those who would attack somebody because of their race, ethnicity, sexual orientation, or any other reason. I wish to take a few moments to explain why this is important and why this legislation is not good and it ought not to be passed. Some of my remarks may appear to be technical, but they are very important, in my view, as a former Federal prosecutor for almost 15 years.

I don't think it was ever appropriate that we bring this legislation to the floor and stick it on this Defense bill without having a markup in the committee without the ability to discuss it and improve it.

For years legal commentators and jurists have expressed concern at the tendency of Congress, for the political cause of the moment, to persist in adding more and more offenses to the U.S. Criminal Code that were never Federal U.S. crimes before. This is being done at the same time that crime rates over the past decade or so have dropped and State and local police forces have dramatically improved their skills and technology. There are really fine police forces all over the country today. An extraordinary number of police officers have college degrees and many advanced degrees.

I think two questions should be asked initially. First, is this a crime that uniquely affects a Federal interest, and can it be addressed by an effective and enforceable statute? Second, have local police and sheriffs' offices failed to protect and prosecute this vital interest?

Most people do not understand that a majority of crimes—theft, rape, robbery, and assault—are not Federal crimes and are not subject to investigation by the FBI or any other Federal agency. They could not do so if they wanted to because they have no jurisdiction. They can only investigate Federal crimes. It has been this way since the founding of our country, and it fixes responsibility for law enforcement on local authorities where it should be.

Americans have always feared a massive Federal Government police force. It is something that we have not ever favored. This is not paranoia but a wise approach, and I do not think it should be changed.

Instead of administering justice without fear or favor, this legislation that has been placed on this bill creates a new system of justice for individuals because of their sexual orientation or gender identity, providing them with a special protection, while excluding vulnerable individuals, such as the elderly or police officers or soldiers, from such special protections. I don't think we can justify that.

The purpose of the DOD reauthorization bill is to make sure the men and women who protect our freedoms have the necessary resources to continue to do the fabulous job they have been doing. We should not deviate from this path by addressing matters wholly unrelated to the defense of our Nation.

A bill of such breadth and lack of clarity as this should be carefully reviewed with the opportunity for discussion and amendment in committee. Yet this legislation had no markup in any committee. In fact, no version of the bill has been marked up since 2001, and this version is quite different and more expansive than the 2001 bill.

The committee did hold a quickly thrown-together hearing on June 25 in which Attorney General Holder himself appeared. The Attorney General, however, failed to point to one single serious incident in the past 5 years, when I asked him that question, where the types of crimes that are referred to in the bill, to give special Federal protection to select individuals, were not being prosecuted by State and local governments.

Additionally, the Attorney General refused to say attacks on U.S. soldiers predicated on their membership in the military by, for example, a Muslim fundamentalist, could be considered a hate crime.

It is baffling to me, given previous opposition and serious concerns which have been raised about this legislation, that the act, instead of being constrained, is actually expanded in a vague and awkward way. It focuses on the perception of what someone might have been thinking when they committed the crime and includes categories which are undefined and exceedingly broad, such as gender-related characteristics and gender identity. From questions that have been raised, these categories do not have clear meaning. During the course of debate on hate crimes legislation—a debate that started in 2001—amendments have been offered to also protect our military men and women, where it is unquestioned they have been targeted. Those amendments were rejected.

Mr. President, I will briefly outline my opposition to the legislation in the following ways:

The hate crimes amendment is unwarranted, possibly unconstitutional—certainly, I believe it is unconstitutional in certain parts—and it violates the basic principle of equal justice under the law. The hate crimes amendment to this bill has been said to cheapen the civil rights movement.

When Congress passed the original civil rights statute in 1968, it criminalized violent and discriminatory actions directed at individuals because of race, color, religion, or national origin. There was, sadly, quite a substantial body of evidence that crimes were being committed against minorities and they were not being prosecuted. Section 245 that was then passed was never envisioned by Congress to be a hate crimes statute but one, rather, that would ensure access by minorities to specific activities legitimate to their freedom, such as enrolling in public schools, enjoying the benefit of programs administered by the State, or attending court as a juror.

In 1968, care was taken to ensure that the underlying statute was carefully crafted and narrowly tailored to address the problem of access to ensure that criminal activity fell within the confines of the constitutional requirement that there be a Federal nexus with interstate commerce. The statute enumerates six instances in which a crime could be charged. That statute says this:

> Whoever, whether or not acting under the color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with any person because of his race, color, religion or national origin and because he is or has been. . . .

And then it lists specific areas that would encompass a criminal offense.

> (a) enrolling in or attending any public school or public college.

So if anyone who was attempting to attend a public school or college was interfered with or intimidated because of their race, color, religion or national origin, that would be the offense.

> (b) participating in or enjoying any benefit, service, privilege, program, facility or activity provided or administered by any State or subdivision thereof.

In other words, you can go to the city hall, you can go to the health department, and you cannot be discriminated against because of your race or background.

Unfortunately, I have to say there were areas of the country—particularly in my area of the South—where that was not so. People were being unfairly treated. In fact, in some other areas of the country also. I believe great care was taken with that act because, as I said, there was strong evidence to suggest that a Federal expansion of criminal law would be appropriate to deal with it.

So the history of civil rights violations caused and fully justified Congress's passage of this statute. There was direct evidence, for example, that African Americans were being denied the right to vote or intimidated at voting precincts without State and local law enforcement protecting them. There was much evidence, sadly, that other rights of African Americans were not being protected.

But that is not the case with this amendment, and I will talk about that in a minute. Gays and lesbians have not been denied basic access to things such as health or schooling or to the ballot box. They openly are able to advocate their positions today, which I think is certainly healthy, and have no difficulty in approaching government officials at whatever level.

When Eric Holder testified a few weeks ago before the Judiciary Committee, I asked him point-blank for direct evidence that hate crimes against individuals over the past 5 years, because of their sexual orientation or

otherwise, were not being prosecuted by local authorities. Instead of answering the question, he referred me to four cases in his written testimony which he had delivered to the committee. Let me make the number clear as strong evidence that these cases are being prosecuted.

The Attorney General could not come up with 4,000 cases or 400 or 40 cases. He only named four cases in 5 years. So we took a look at those four cases he cited in his testimony, and this is what we found.

In one case, Joseph and Georgia Silva assaulted an Indian-American couple on the beach. Although there was evidence that racial and ethnic slurs were used during the altercation, a California El Dorado County judge ruled that prosecutors failed to produce sufficient evidence that the alleged assault was motivated by racial prejudice. The prosecutor had pursued a hate crimes conviction, including charging Silva with a felony assault, punishable by up to 3 years in prison. The evidence, according to the judge, was that racial slurs were used in the heat of anger. There was no evidence the attack was initiated because of ethnicity.

Both Joseph and Georgia Silva were convicted of assault, the basic crime that they committed, and Joseph Silva was sentenced to 6 months in prison and 3 months probation, while Georgia was sentenced to 1 year in prison.

So the question is, was there an important Federal right left unaddressed that needed to be vindicated by charging this couple again for the crime arising from that assault? In other words, that is what this bill does. It says if we are unhappy with the result in State court under a select group of crimes, the Federal Government can try the case again.

You might say, well, there is a double jeopardy clause in the Constitution; you can't be tried twice for the same crime. Good; if you asked that question, you get an A in constitutional law. However, there is an answer. It has long been established that the States are sovereign and the Federal Government is sovereign. So an individual can be tried by two separate sovereigns without implicating the double jeopardy clause of the Constitution. However, we have always understood that ought not to be done lightly. It ought not be done without a real justification because it violates the spirit of the double jeopardy clause of the Constitution.

Attorney General Holder also cited a 2003 case in Holtsville, NY. In that case, three White men, while using racial slurs, assaulted a group of Latino teenagers as they entered a Chili's restaurant. One of the three defendants entered a guilty plea for his involvement in the assault and was sentenced to 15 months in prison. The other two defendants proceeded to trial and were acquitted because the jury apparently concluded there was insufficient evidence to prove beyond a reasonable doubt that the offense that occurred was to deny the victims access to the restaurant. So they had a trial, and one was convicted and two were not.

The Attorney General cited a South Carolina case where a gay man was assaulted after leaving a bar. During the altercation, he fell and he suffered a fatal strike to the head from the concrete. Stephen Miller was convicted of involuntary manslaughter and sentenced to 5 years in prison.

Finally, the Attorney General cited a case from here in the District of Columbia where a transgender prostitute was murdered. Apparently, after Derrick Lewis discovered that the prostitute he had picked up in his automobile was not female, and the prostitute refused to get out of his car, an altercation of some kind occurred—an argument—and he had a gun and shot and killed this transgender individual. He eventually pled guilty, gave a full statement of what happened, and was sentenced to 10 years in prison. The evidence showed they had begun fighting and that is when he pulled the gun and shot him. He said the individual would not get out of the car.

Well, those are not insignificant crimes, but I can just advise my colleagues, if we just pause one moment and think, we know that at this very moment thousands, maybe 10,000 or more trials are ongoing in State and local courts all over America, and they do not always end as people would like them to end. What this bill does basically is it provides an opportunity for the Federal Government to pick and choose certain crimes they want to prosecute again to get the kind of justice they think might be likely. That is a broad power that we give to the Attorney General and a broad statute I don't believe is compelled by the facts that are happening in America today.

When my staff followed up with the Office of the Attorney General to see why they listed just these cases, the response wasn't that State and local law enforcement were not doing their jobs but that the Attorney General believed the cases were under prosecuted. Citing four cases over 5 years as being underprosecuted is not the kind of evidence needed to justify the passage of such an expansive new piece of legislation that injects Federal prosecutors in areas of crime not heretofore occurring.

After the Judiciary hearing, both Senator COBURN and I sent followup questions to the Attorney General to provide him an additional opportunity to demonstrate that the bill was necessary because of under prosecution, as he had testified. Senator COBURN asked this question:

> Precisely how many hate crimes is the Justice Department aware of that have gone unprosecuted at the State and local level?

This is the answer we got from the U.S. Attorney General:

> The Department believes that our partners at all levels of law enforcement share our commitment to effective hate crimes enforcement. The Department does not have access to precise statistics of hate crimes that have gone unprosecuted at the State and local level, and we are unaware of any source for such comprehensive information of unprosecuted offenses generally. Federal jurisdiction over the violent bias-motivated offenses covered under S. 909 is needed as a backstop for State and local law enforcement, to ensure that justice is done in every case.

So he is suggesting that, in a select group of cases that are on the front burner today, the Attorney General needs this legislation—S. 909, which has now been attached to the Defense bill—as a backstop for State and local law enforcement to ensure that justice is done in every case.

Well, there are many prosecutorial and jury decisions that are made in State courts every day with which one could disagree. The question is whether the Federal Government will be empowered to ensure justice is done in every case.

I just want to share the reality of the world with my friends here, that anyone, I guess, can conclude that a case didn't end justly for them. One distinguished jurist is famously quoted as saying, ''To speak of justice is the equivalent of pounding the table. It just adds an element of emotion to the discussion.'' But whatever we mean by that word, it basically means the Attorney General gets to decide whatever he wants to do. I am not sure this is good legislation. I think legislation ought to be crisp and clear and set forth criteria by which a prosecution occurs or does not occur, leaving not so much broad discretion among the prosecutorial authorities.

I submitted, after Senator COBURN—or at the same time, really—a similar question because I believed he had not been responsive to my question, and I asked this about our colleague, referring to Senator HATCH—of course a former chairman of the Judiciary Committee and who has worked on this issue for a number of years—and my question is this:

> Senator HATCH in the past has offered a complete substitute to similar legislation, which would require that a study be conducted to prove that there is an actual problem with hate crimes not being prosecuted. Do not give me a general response that there are some problems out there. I would like you to provide the Committee with an exact and precise number of hate crimes the Justice Department is aware of which have gone unprosecuted at the State and local level. Please detail every example you or anyone in the Department of Justice is aware of where no prosecutorial effort took place.

This was the answer we got:

> The Department is unable to provide an exact number of cases in which State, local or tribal jurisdictions have failed to prosecute hate crimes because we are not aware of any such compilation of data.

Senator HATCH has been offering this amendment for a study for a decade.

The Attorney General goes on to say:

> When the Department receives complaints it clearly lacks jurisdiction to prosecute, these matters generally are never opened as investigations. . . .

Let me just say, if this legislation is passed it will have one dramatic, undiscussed impact. Federal law enforcement agents—and there are not many. You may have a city with 300 police officers in it and 10 FBI agents, another hundred sheriffs' deputies, another number of State officers. Now huge numbers of crimes will be coming across the desk of the FBI, which has terrorism, white-collar crime, bank fraud which they need to be working on today, violent crimes and drug smuggling. Now they are going to have to review hundreds of complaints about cases they had not heretofore had jurisdiction of and did not have to review. I just raise that point as an aside.

Based on the Attorney General's response, I conclude that the bottom line is there is nowhere near the real evidence needed to justify this legislation. No one in this body has produced the evidence, and the Attorney General of the United States, who is promoting the bill, has not produced any. Attorney General Holder's response, instead of demonstrating the need for hate crimes legislation as written, provides verification that it is not necessary, and it raises a question of whether this is driven by political interests at this time. It is easy to complain that anybody who opposes a hate crimes bill favors hate. That is not a fair charge. I think most of our colleagues fully understand that. But politically that is the suggestion some have made when this legislation has been objected to by people with very valid concerns.

As a matter of fact, one of the studies heavily relied on by the Attorney General in support of this bill is a 2008 report published by the National Coalition of Anti-Violence Programs, which is composed primarily of lesbian, gay, bisexual, and transgender groups. They have every right to do those studies and present them, but it is a coalition clearly with a vested interest in the legislation, and it should be examined carefully. The Attorney General had to rely on these types of reports because crime statistics do not support the notion that the incidence of hate crimes has increased. Even though we are doing a better job of reporting those today, still over the past 10 years the number is down, down slightly, even though population is up in our country.

Furthermore, in a rushed attempt to provide answers to the committee prior to this amendment being filed, the Department seemed to put little thought into their responses to our questions. As a matter of fact, it appears the Attorney General didn't think the issue important enough to answer them himself. He let his staff people answer, when he was the one who appeared before the committee and we were following up on his personal testimony.

A number of arguments and statements have been made, including those by the Attorney General, that there are quite a few of these incidents, tens of thousands of these incidents over the last number of years. But overwhelmingly these despicable incidents are of vandalism, many by juveniles. Let me make clear that even those incidents are significant and deserve prosecution and investigation and, where appropriate, stiff punishment. But let's look at the views of the members of the U.S. Commission on Civil Rights, our own U.S. Civil Rights Commission, who have examined this legislation carefully. Six of its eight members signed a strong letter to the President and to the Judiciary Committee to oppose hate crimes legislation. Did I mean to say the Civil Rights Commission wrote in favor it? No. But to oppose it. Their letter, dated June 16—just last month—addressed to the Members of the Senate and the President, said this:

> We believe that the MSHCPA [Matthew Shepard Hate Crimes Prevention Act] will do little good and a great deal of harm. Its most important effect will be to allow Federal authorities to reprosecute a broad category of defendants who have already been acquitted by State juries, as in the Rodney King and Crown Heights cases more than a decade ago. Due to the exception for prosecution by ''dual sovereigns,'' [that is the two sovereign entities] such double prosecutions technically are not violations of the double jeopardy clause of the U.S. Constitution. But they are very much a violation of the spirit that drove the Framers of the Bill of Rights, who never dreamed that Federal criminal jurisdiction would be expanded to the point where an astonishing portion of crimes are now both State and Federal offenses. We regard the broad federalization of crime as a menace to civil liberties. There is no better place to draw the line on that process than with a bill that purports to protect civil rights.

They go on to say:

> While the title of MSHCPA suggests that it will apply only to ''hate crimes,'' the actual criminal prohibitions contained in it do not require that the defendant be inspired by hatred or ill will in order to convict. It is sufficient if he acts ''because of'' someone's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability.

I am quoting from the Civil Rights Commission letter.

> Rapists are seldom indifferent to the gender of their victims. They are virtually always chosen ''because of'' their gender. A robber might well steal only from women or the disabled because, in general, they are less able to defend themselves. Literally they [these victims] are chosen because of their gender or disability.

The letter goes on to state their belief that every rape in America would now be declared a crime under this bill because it is an action taken against someone because of their gender.

Professor Gail Heriot, a member of the U.S. Commission on Civil Rights, testified at our June 25 hearing. She made clear that all rapes would be covered under the bill and that, indeed, this was intentional. She said:

> This wasn't just sloppy draftsmanship. The language was chosen deliberately. Officials understandably wanted something susceptible to broad construction, in part because it makes prosecutions easier. As a staff member of the Senate Judiciary Committee back in 1998, I had conversations with the Department of Justice representatives. They repeatedly refused to disclaim the view that all rape would be covered, and resisted efforts to correct any ambiguity by redrafting the language. They wanted a bill with broad sweep. The last thing they wanted was to limit the scope of the statute's reach by requiring that the defendant be motivated by ill will toward the victim's group.

I think that is a serious charge made by a member of the Civil Rights Commission about the purpose of the Department of Justice in supporting this act.

I would note, it is an inevitable delight of prosecutors to have more and more power and more and more ability to prosecute criminals. That is what they do. They are wonderful people. I never enjoyed anything more than being a prosecutor, wearing a white hat every day to work and trying to vindicate decent people from criminal acts. But that is just a tendency of the prosecutorial mindset that we ought not to forget.

The truth is, during the recent hate crimes hearing, no one who testified in favor of the bill could point to a single incident where, I think, a valid hate crime was not pursued or prosecuted by State and local law enforcement officers.

In the latest statistics that are available, of the 2006 hate crimes reported in 2007, only nine were classified as murder or nonnegligent manslaughter. That is certainly nine too many. I think every one should be prosecuted. But no complaints have been raised that any of these were not vigorously or fairly prosecuted. Indeed, two-thirds of the offenses involved property defacement, such as graffiti and name-calling. Missing from the analysis is any evidence that the crimes are not being prosecuted at the State and local level. Indeed, 45 of the 50 States and the District of Columbia already have and enforce hate crimes laws. Although the language is broad and some could criticize it, these States have passed these bills, and they are able to enforce them.

Statistics show that these hate crimes, even with better reporting, have decreased slightly over the years. Forty-four States have stiffer penalties for violence related to race, religion, or ethnicity, and 31 States have tougher penalties on violence related to sexual orientation.

The question arises, do we have a basis for this massive and historic change in Federal enforcement of what have been State crimes?

Perhaps Mr. Andrew Sullivan—an openly gay man who has pioneered the effort to have gays in the military and is a well known and an able writer, provides the answer. Mr. SULLIVAN had this to say about the legislation.

> The real reason for hate crime laws is not the defense of human beings from crimes. There are already laws against that—and Matthew Shepard's murderers were successfully prosecuted to the fullest extent of the law in a State that had no hate crime law at the time.

The real reason for the invention of hate crimes was a hard left critique of conventional liberal justice and the emergence of special interest groups which need boutique legislation to raise funds for their large staffs and luxurious buildings. Just imagine how many direct mail pieces have gone out explaining that without more money, more gay human beings will be crucified on fences. It is very, very powerful as a money-making tool, which may explain why the largely symbolic Federal bill still has not passed (if it passes, however, I'll keep a close eye on whether it is ever used.)

This is a gay man expressing his opinion. No doubt he takes these issues very seriously, and symbolism is important in our political world, but we need to be careful that statutes that become a permanent part of our criminal code are supported by evidence and principle.

I do not think our focus here is to deal with symbolic legislation that is broad and can expand Federal criminal jurisdiction beyond its historic role and where the facts do not support the need. In other words, more narrowly tailored legislation consistent with a constitutional right could very well be something this Congress would want to pass. To pass legislation so extremely broad again could give Federal jurisdiction for the first time in history to every rape that occurs in America. It ought to be looked at with great care and ought not to be stuck onto a defense bill and moved forward, in my opinion.

The Constitution endows Congress with limited and enumerated powers. There is no general police power in the Federal Government. So at this point, I wish to raise issues with the constitutionality of the hate crimes provision.

Congress's power is limited to what it can regulate under the Commerce Clause. The proposed legislation is based upon the idea that a discrete crime in a local community may have an impact on interstate commerce. This is the same theory that was rejected in both U.S. vs. Lopez and U.S. vs. Morrison, where the Supreme Court essentially ruled that intrastate violent conduct does not impact commerce normally.

Nat Hentoff, a well-respected noted civil rights and civil libertarian attorney and writer recently wrote about some constitutional concerns he has with the legislation. This is what he said:

In the definitive constitutional analysis of James B. Jacobs and researcher Kimberly Potter, it is documented in ''Hate Crimes: Criminal Law and Identity Politics'' that in ''Grimm v. Churchill the arresting officer was permitted to testify that the defendant had a history of making racial remarks. Similarly, in People v. Lampkin, the prosecution presented as evidence racist statements the defendant had uttered six years before the crime for which he was on trial,'' as specifically relating to the offense.

As for the 14th Amendment's essential requirement that no person be denied ''the equal protection of the laws,'' there is carved above the entrance to the Supreme Court the words ''Equal Justice Under Law.''

This legislation, certain to be passed by the Senate, now it seems will come to the Supreme Court.

And I am quoting Mr. Nat Hentoff, the well-known and respected civil libertarian civil rights attorney. He says this:

When it comes before the Supreme Court, I hope the Justices will look up at the carving as they go into the building. They should also remember that the Fifth Amendment makes clear: ''nor shall any person be subject for the same offence to be twice put in jeopardy.''

But the House hate crime bill allows defendants found innocent of that offense in a state court to be tried again in federal court because of insufficiently diligent prosecutors; or, as Attorney General Holder says, when state prosecutors claim lack of evidence. It must be tried again in federal court. Imagine Holder as the state prosecutor in the long early stages of a Duke University lacrosse rape case.

What also appalls me, as the new federal bill races toward a presidential signature, is that for many years, and now, the American Civil Liberties Union approves ''hate crimes'' prosecutions. I have long depended on the ACLU's staff of constitutional warriors to act persistently against government abuses of our founding documents. And these attorneys and analysts have been especially valuable in opposing the results of executive branch lunges against the separation of powers in the Bush-Cheney years, and still under Obama.

Then he says this:

Is there no non-politically correct ACLU lawyer or other staff worker or anyone in the ACLU affiliates around the country or any dues-paying member outraged enough to demand of the ACLU's ruling circle to at last disavow this corruption of the Constitution?

That is Mr. Hentoff's view of it.

So this hate crimes amendment is a substantial overreach by Congress, I do believe. It is not carefully crafted or narrowly tailored. Unlike the historic civil rights statute, it seeks to federalize the violent, noneconomic conduct that is local in nature and has little or no Federal nexus.

The Supreme Court has held that violent conduct that does not target economic activity is among the types of crimes that have the least connection to Congress's commerce power. However, this is precisely the sort of violent, noneconomic conduct that this amendment would federalize.

If this approach were permissible, it would put Congress on a path to rely on the Commerce Clause and legislate any criminal law it wants. When it comes to criminal law, Congress would no longer be a body of limited and enumerated powers but would have plenary power to criminalize any and all conduct that is already criminalized by the States, a clear violation of our historical policy of not taking over State and local law enforcement.

There are still a lot of complaints over the drug laws aggressively prosecuted when I was a Federal prosecutor, and many think that was an overreach. When drugs come in, the vast majority from outside the country, they move as interstate commerce, and the courts have held that up.

But there is still intellectual criticism and concern about it. But in this case, you do not have the kind of dramatic nexus, and you also lack the evidence to suggest those cases are not being effectively prosecuted. So the sponsors have also tried to ease constitutional concerns by citing the 13th, 14th and 15th amendments.

The 13th amendment provides Congress with the limited authority to abolish ''all badges and incidents of slavery in the United States.'' I hope my colleagues are not seriously attempting to argue that assaulting someone because of their religious views or gender is tantamount to slavery.

The 14th and 15th amendments apply only to State actions, and since we have already established that States are vigorously prosecuting these actions and not ignoring them, I do not think this is a valid approach.

Finally, I would note that the legislation raises questions concerning the constitutional imperative that there be ''equal justice under law.'' Is there a legitimate, justifiable reason to punish one rape differently than another rape simply because someone decides the first rape was committed out of hate or actually because of the gender of the victim? I think the victims would say the same thing, the criminal should be punished to the fullest extent of the law.

This legislation would add a different element to certain crimes, and I know, as a former prosecutor, make it more difficult and more expensive to obtain a conviction, especially when you have to prove an individual's thought process as an underlying element to the offense.

This bill at bottom tries to distinguish between assaults by declaring if someone assaults and kills his girlfriend because she broke up with him it is not a Federal offense, but if he kills her because she claims she wanted to explore her sexual orientation and he became upset and killed her, that would be a Federal offense.

Senator HATCH offered a complete substitute on Thursday night. It was rejected. His proposal would require that a study be conducted so actual evidence can be obtained to see if there is a real serious problem with States not prosecuting these matters.

For some reason, even though Senator HATCH has been trying to get it passed for quite a number of years, the study has never been conducted, and all proposals for such a study have been rejected. I fear it is because perhaps Mr. SULLIVAN got it right. It is not so much about the failure of States to prosecute these crimes but about an underlying idea to pass a symbolic piece of legislation.

There is no good reason to pass such a broad piece of legislation. To pass it would be unwise. No one believes that individuals should be assaulted because of their beliefs, their gender or their sexual orientation. That type of behavior is unacceptable and should be prosecuted.

It has been prosecuted. I am sure State and local law enforcement officers will continue to do so. I believe

that if my colleagues would study the legislation and think about what they are doing, they would see that this is more unwise and the objections they have heard have far more weight than they had thought initially.

It seems like a good idea. Who would want to be against a crime that says it wants to punish hate? But there are serious matters and constitutional issues, as I noted from the Civil Rights Commission, from the civil rights attorneys such as Mr. Nat Hentoff.

I think, in truth, the Attorney General should have been more balanced in his testimony before the Judiciary Committee. He came pushing this legislation without listening or expressing any concern. But I do think he should have pointed out that it represents one of the largest expansions of Federal law enforcement in history. He should be the first to point out and express that concern. He should not allow politics to drive law in America.

I know most of my colleagues think this is the right thing to do. I wish I had been able to participate more in the debate before it was a done deal the other night. I was involved at the same time, of course, with the confirmation process.

Hopefully, we can watch this legislation come with some ideas that curtail its potential for abuse and make it better. But, in reality, I want my colleagues to know it is time for us in Congress to step back and question carefully any proposal to create new or further expand federal criminal jurisdiction that would encroach upon the historic powers of our State and local law enforcement to enforce the law in their jurisdiction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I ask unanimous consent that the Senator from Virginia be recognized next as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Mr. LEVIN assumed the Chair.)

The PRESIDING OFFICER. The Senator from Virginia is recognized.

SOTOMAYOR NOMINATION

Mr. WARNER. Mr. President, I rise to speak in support of the nomination of Judge Sonia Sotomayor to serve on the Supreme Court of the United States.

First, I would like to applaud Chairman LEAHY and Ranking Member SESSIONS for conducting a successful confirmation hearing. The hearings lasted 4 days, 15 witnesses testified, and thousands of people attended the hearing in person.

The topics of discussion ranged from executive privilege to property rights. In the end, the reviews were that the hearing was constructive and fair. At the same time, millions of Americans all across the country tuned in to the confirmation hearings on television to find out who Justice Sotomayor is.

As a U.S. Senator, I had the privilege of meeting with Judge Sotomayor in person and can say that the American people say what I witnessed firsthand, an individual with extensive judicial experience, a clear understanding of the law, and the judicial temperament to be an excellent Supreme Court Justice. Judge Sotomayor's nomination is a historic moment for several reasons. With 17 years as a Federal district and appellate court judge, Judge Sotomayor has more judicial experience than anyone confirmed for the Court in the past 100 years. She is also part of a small group of judges who have been nominated to the Federal judiciary by Presidents of different parties: President George H.W. Bush and President Bill Clinton. With the addition of President Obama, she will become the first person nominated by three Presidents to serve on the Federal judiciary.

Judge Sotomayor is also the first Hispanic American nominated to serve on the Supreme Court in its 220-year history.

Her family immigrated to the United States from Puerto Rico. The family didn't have a lot of money, but her mother valued education and hard work. Judge Sotomayor would go on to Princeton and Yale Law School, where she excelled academically. Judge Sotomayor did not have the benefit of a family name or wealth but she had ambition. She proved that one can improve their life in a single generation. I am confident many young men and women of all backgrounds are inspired by her example. Perhaps they will hit the books a little harder, practice their craft a little more, and not give up on reaching their own individual dreams.

As Governor of Virginia and now U.S. Senator, I have carried out the responsibility of selecting, vetting, and nominating individuals to serve on the bench. It is an enormous responsibility, because the decisions judges make affect people's lives. Much has been said about Judge Sotomayor's judicial philosophy. In testimony before the Senate Judiciary Committee, she made clear to me that she fully understands the role of a judge. In her own words, her judicial philosophy is simple: ''Fidelity to the law'' and a ''rigorous commitment to interpreting the Constitution according to its terms.''

Independent institutions can attest to this. The American Bar Association unanimously found Judge Sotomayor to be highly qualified, its highest rating. A number of other nonpartisan groups have found her constitutional decisions to be solidly in the mainstream. Judge Sotomayor's commitment to public service, extensive judicial experience, and fidelity to the law make her an excellent candidate to serve on the Supreme Court of the United States. I look forward to casting my vote in support of Judge Sotomayor and encourage my colleagues on both sides of the aisle to do the same.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WARNER). Without objection, it is so ordered.

SIX MONTHS IN OFFICE

Mr. KYL. Mr. President, today marks President Obama's sixth month in office. The President began his term with an enormous amount of goodwill, high approval ratings and pledges to work in a bipartisan way. In the earliest days he reached out in a bipartisan way to secure passage of administration priorities and Republicans reciprocated. For example, I joined the President in supporting the release of the second tranche of financial stabilization money. But the administration has become increasingly partisan in the months since then. The effectiveness of the President's policies is increasingly questioned by the American people as spending and deficits have skyrocketed. Unemployment has gotten much worse since he took office, and America's interests abroad have been challenged with little response.

Let me first speak to the issue of domestic policy, spending and debt. On domestic policy, President Obama's first 6 months in office have been characterized by unprecedented spending and debt accumulation. In 6 months, President Obama has put the country on a course to spend more and accrue more debt than any President in history; in fact, to take on more debt than all of the other Presidents in the history of the United States combined. The President has at the same time exercised the power of government in unprecedented ways. The President knows this is greatly concerning to the American people. So on June 16, President Obama told an interviewer:

> I actually would like to see a relatively light touch when it comes to government.

But when it comes to the size and scope of the government, nothing President Obama has done in his first 6 months resembles a light touch. Time after time, he has pushed government intervention and takeovers and huge spending increases as the preferred solutions to various problems, whether it is to stimulate the economy, reform health care, or bail out bankrupt car companies.

The President cites the economic downturn as a reason to clear the way for more and more new spending, but we still don't have any evidence that this record-breaking spending has actually helped the economy. Take the $1.2 trillion so-called stimulus bill. In pitching the stimulus to the Nation, the President pledged that ''a new wave of innovation, activity, and construction would be unleashed all across America.'' The administration also said it would help keep unemployment from topping 8 percent and ''save or

create 3.5 million new jobs.'' He insisted Congress rush the bill through despite concerns about the cost and the Government's ability to disburse funds in a timely way.

As we now know, since President Obama signed the legislation, far from stopping unemployment from exceeding 8 percent, unemployment has now reached over 9.5 percent and is headed to at least 10 percent. The economy has lost over 2 million jobs, including 433,000 last month. According to the White House Web site, which tracks stimulus spending, only 7.68 percent of the stimulus money has been funneled into the economy.

In an article for the Washington Post, Michael Gerson explains why the stimulus is having such a negligible effect:

> Pouring money into the economy through a thirst sponge of federal programs . . . is slow and inefficient.

Just as Senate Republicans argued when we opposed this plan.

The nonpartisan Congressional Budget Office projects less than a quarter of the funds earmarked for this bill will be spent by the end of this year, with the lion's share being distributed over the next 3 years, by which time, hopefully, the recession will be over. If that is the case, the administration will no longer have a justification for this stimulus spending. But taxpayers will still be on the hook for the hundreds of billions of dollars the government will have to borrow to pay for it.

Thanks to a new report by Senator COBURN, we know more about some of these wasteful projects that have been funded by the so-called stimulus or are awaiting funds, including a $23.5 million turtle tunnel in Florida, a $550,000 skateboard park in Rhode Island, and even $40,000 to give someone a job in North Carolina to lobby for more stimulus funds. That is just a handful of the projects approved so far.

So what has happened to the President's plan to spend wisely? That brings us to the budget. The President's $3.4 trillion 10-year budget also defies the idea of a light touch. In an editorial about the budget, the Wall Street Journal wrote:

> With [his] fiscal 2010 budget proposal, President Obama is attempting not merely to expand the role of the federal government, but to put it in such a dominant position that its power can never be rolled back.

So the spending is the means to an end, a bigger government that can never be tamed. To understand the magnitude of the budget the President proposed, consider: Federal spending will skyrocket to 27.7 percent of the gross domestic product in 2009. That is up from 21 percent of GDP in 2008. According to the CBO's monthly budget review, for the first 9 months of the 2009 fiscal year, outlays are 21 percent higher than they were in the first three quarters of 2008, though revenues have fallen by 18 percent. Federal spending will make up a greater share of the economy in 2009 than in any year since 1945, when the country was still fighting World War II. It is also a greater share of the economy than during the Vietnam war or during the recessions of 1974–1975 or 1981–1982.

The debt created by his budget will be greater than the combined debt created by the budgets of each of the previous 43 Presidents, all the way back to President Washington. By the end of this fiscal year, our publicly held debt will amount to roughly 57 percent of the gross domestic product and deficits of $1 trillion every year are predicted for the next decade. This will drive the debt to 82 percent of the gross domestic product by the year 2019. Interest payments on this debt will soon make up the single largest item in the debt. In fact, as for the interest cost, beginning in 2012 and every year thereafter, the government will spend more than $1 billion a day on finance charges to holders of U.S. debt. That means Federal spending on finance charges for the government's debt will be a whopping $5,700 per household in 2019.

Americans are weary of this kind of debt, to say the least, and many don't think it is fair for Washington to overspend and then simply pass the bill on to our children and grandchildren.

These levels of spending and debt would be reckless in the best of economic times, and they are not consistent with President Obama's pledge for a new era of fiscal responsibility.

Let's turn to health care.

The American people—and those of us in Congress—want health care reform. That is not in question. But President Obama is proposing a trillion-dollar health care program that would, according to the Congressional Budget Office, cause millions of Americans to lose their current care by providing an incentive to employers to drop their health care coverage.

How is this consistent with the President's assurances that if Americans like their current insurance, they can keep it? Remember, 85 percent of Americans have insurance and the vast majority of them like their coverage and they do not want to lose it.

President Obama frames this huge new entitlement as a cost-saving, deficit-reducing measure. At a July 1 townhall meeting in Virginia, the President told participants:

> If we want to control our deficits, the only way for us to do it is to control healthcare costs.

But does anyone believe that creating a new trillion-dollar, Washington-run health care bureaucracy will reduce costs? When in history has a new government program ever reduced costs? Our two current government-run health care programs—Medicare and Medicaid—are both on financially unsustainable paths. Medicare alone has a $38 trillion unfunded liability over the next 75 years and is in urgent need of reform.

Some of the projected revenue for the President's plan comes from cuts in Medicare. How is it fair to cut seniors' care to pay for a new government-dominated system for nonseniors, especially since Medicare is already in financial trouble? This would ultimately lead to shortages, rationing, and the elimination of private plan choices—something our seniors rightly fear.

It does not make much sense to strip funds from those already participating in government health care and to then use the savings for the creation of a massive new government health care system that few people want. Americans rightly worry the President's proposals will lead to the kind of denial and delay that happens in Canada and Great Britain.

The President has even said:

> What I think the government can do is be an honest broker in assessing and evaluating treatments.

That can only mean one thing: denial and delay of care. In that kind of system, Federal boards would dictate what is best for you and me, if our health care is worth the money, and drive a wedge between doctors and patients.

President Obama said recently:

> When you hear the naysayers claim that I am trying to bring about government-run healthcare . . . know this, they are not telling the truth.

Well, maybe the President does not like the term ''government-run health care'' because it is not popular with Americans. But a plan administered by the government, with prices and policies and treatments evaluated and dictated by Washington bureaucrats, is government-run health care, plain and simple.

On another issue, cap and trade: One of the President's oft-repeated campaign pledges was he would not raise taxes on middle-income Americans. But the cap-and-trade legislation he and congressional Democrats are backing would do just that.

On June 26, the House of Representatives passed cap-and-trade legislation described by Harvard University economist Martin Feldstein as ''a stealth strategy for a massive long-term tax increase.''

The bill would implement a cap-and-trade program with the goal of reducing carbon dioxide emissions into the atmosphere. Cap-and-trade programs set strict mandatory limits on carbon emissions from various sources, such as electric utilities. Those sources would then either reduce carbon emissions or buy or trade emission allowances to achieve the required overall emissions reductions.

The energy bill would not directly raise taxes on Americans; that is, they will not necessarily see a larger income tax bill at tax time in April. Rather, cap and trade increases the cost of living for everyone by raising energy costs and consumer prices for virtually everything. The effect would be the same as if the IRS sent them a tax bill.

When the nonpartisan Congressional Budget Office analyzed the cost of a reduction of carbon emissions by 15 percent below 2005 levels, it estimated a

family's cost of living would increase by $1,600.

To put that $1,600 carbon tax in perspective—

Martin Feldstein wrote—

a typical family of four with earnings of $50,000 now pays an income tax of about $3,000. The tax imposed by the cap-and-trade system is, therefore, equivalent to raising the family's income tax by about 50 percent

That is $1,600 that families will not be able to spend or save for the future.

In addition to the tax increase, cap and trade would retard economic growth. The Heritage Foundation analyzed the proposal and concluded it would slow long-term growth by almost $10 trillion over the next 26 years. Jobs would be lost. The Heritage Foundation's analysis, in fact, found that my State of Arizona would lose thousands of jobs.

Proponents of the cap-and-trade proposal argue that job losses will be offset by the creation of new green jobs. But it is not at all certain those jobs will materialize, let alone make up for the jobs that are lost. In Spain, where government has invested heavily in green jobs, two jobs are lost for every green job created, according to Spanish economist Gabriel Calzada.

Especially at a time when the economy is shaky and unemployment has reached a 25-year high, I am disappointed the President is promoting this legislation that not only would violate his campaign promise but would cost taxpayers billions of dollars and harm jobs.

Let me now address some issues that are not directly domestic: free trade issues and problems with Iran and North Korea.

First, on free trade: I am very disappointed that the administration has not made free trade a top priority. It has failed in its first 6 months to take any action on bilateral trade pacts with Colombia, Panama, and South Korea—all of which were signed under President Bush. These trade deals would provide a boost to the U.S. economy and would also strengthen U.S. partnerships in two important regions. Not only has the administration failed to move swiftly on these trade agreements, it has also supported a number of damaging protectionist measures, such as a ''Buy American'' provision in the stimulus package.

These policies have angered U.S. trading partners and hurt America's credibility as a promoter of free trade liberalization. They have already triggered retaliation. For example, after the administration canceled a trucking program with Mexico—a program opposed by the Teamsters Union—the Mexican Government responded by slapping tariffs on a range of American imports, including wheat, beans, beef, and rice. A global recession is no time in which to start a trade fight.

With Iran: There are few regions of the world as volatile as the Middle East. Yet the administration's approach to Iran has been regrettable, to say the least.

When prodemocracy demonstrations were being suppressed in Tehran, the President offered barely a word of support for the people putting their lives on the line for their freedom.

Iranian people were met with violence after they took to the streets to peacefully protest the validity of Iran's Presidential election in June to declare their support for free elections and oppose Iran's oppressive police state.

The President likes to say: Words matter. Very true. But his initial statement referring to ''deep concerns about the election'' failed to condemn the Iranian theocracy and lacked moral fortitude. And even as pressure rose on the President to take a stronger stand, he declined to provide the leadership the world expects from America, the standard bearer for freedom and democracy.

As the Weekly Standard recently editorialized:

Since June 12, [President Obama has] done nothing to help those Iranians who have been seeking, in the words of Thomas Jefferson, '' . . . to assume the blessings and security of self-government.''

Explaining his reticence, the President said:

It's not productive, given the history of U.S.-Iranian relations to be seen as meddling—the U.S. president meddling in Iranian elections.

The United States should be lending full-throated voice to the democratic aspirations of the Iranian people, while seeking to impose sanctions on their oppressors. It is not meddling for the world's oldest and greatest democracy to stand with them.

The administration's Iranian policy was flawed from the beginning. It came into office with the idea that it could negotiate a ''grand bargain'' with the mullahs on Iran's nuclear program and would meet with its rogue leader without preconditions. With the mullah's repression of dissent following Iran's flawed elections, that has all gone by the boards. Of course, it was always destined to fail.

Was it ever realistic to believe this is a government with which we can successfully negotiate—a government that sponsors terrorism and murders peaceful student protesters and does not even have the mandate of its own people? What do we think we can give this government more than it wants a nuclear weapon?

What is more, what message do we send to the Iranian people, many of whom have been arrested, tortured, and had family members killed, by negotiating with this regime while it robs its own people of their fundamental rights? I do not believe the United States can deal in good faith with a regime that so violently suppresses its own citizens. I hope the President will come to agree.

With regard to North Korea, the administration's reaction to North Korea's recent activity is also of concern. As Pyongyang prepares for the transition of power from Kim Jong Il to his son Kim Jong Un, the regime's behavior has become increasingly belligerent and unpredictable.

North Korea has pulled out of the six-party negotiations, restarted its nuclear program, test launched several ballistic missiles, and conducted a suspected underground nuclear test. The regime even declared that it has now abandoned the armistice that brought a cease-fire to the Korean war.

What has the Obama administration done in response to this threat to the security of other nations in the region and indeed to the very security of the United States? The answer is disappointing. It has cut missile defense.

The President's budget cut the Missile Defense Agency's budget for fiscal year 2010 by $1.2 billion and decreased the planned number of Ground-Based Interceptor missiles in Alaska from 44 to 30. These proposals amount to almost a 15-percent cut in the Missile Defense Agency's budget and a major reduction in our missile defense portfolio—at the very moment we should be increasing our capability to defend ourselves and our allies from the North Korean threat.

Finally, a word about the prison at Guantanamo Bay. I think this is important in evaluating the first 6 months of this administration because one of the very first acts of the President, after he was inaugurated 6 months ago, was his self-imposed deadline to close the facility at Guantanamo within 1 year.

A majority of Americans strongly oppose the closure of Guantanamo. Congress has refused to support President Obama's arbitrary deadline to close the facility without a plan, for example, showing where he will relocate the terrorists. The administration has convinced Palau and Bermuda to take a few detainees, but this is not much of a solution if the President is determined to close the facility in just another 6 months. Where will the rest of the detainees still housed at Guantanamo Bay go? We still do not know.

Ultimately, the debate over Guantanamo has become a debate over geography. Both the new Attorney General and the new Solicitor General have endorsed the government's right to detain suspected terrorists indefinitely. Whether we can detain them at Guantanamo or at prisons on U.S. soil does not change the fundamental reality that this administration, similar to its predecessor, will be holding certain individuals without trial.

We have been told that Guantanamo must be closed for symbolic reasons. But America should never make national security decisions based on symbolisms—or on false moral arguments.

In conclusion, on the campaign trail and after his election, President Obama repeatedly promised ''change we can believe in'' and the end of partisan politics in Washington. He pledged to bring Republicans and Democrats together.

On election night, he said:

Let us resist the temptation to fall back on . . . partisanship.

But partisan politics looms larger than ever. Congress is urged to rush costly legislation through, despite frequent Republican concerns about the pricetag and the efficacy of the legislation. Indeed, the President's budget and stimulus both passed mainly on party lines.

As Michael Barone recently wrote, the President:

Brings [to Washington] the assumption that there will always be a bounteous private sector that can be plundered on behalf of political favorites. Hence, the takeover of Chrysler and GM to bail out the United Auto Workers union.

Six months later, President Obama continues to take unnecessary jabs at his predecessor. On his promise for change, more government debt, government bailouts, and large transfers of the economy from the private to the public sector are not what Americans are looking for.

Americans want the President and Congress to support the private sector to help the economy get back on track, without tidal waves of spending, debt, and new taxes. They want real health care reform without a government takeover, and they want the President to lead us in this dangerous world, acknowledging the harsh reality that not every rogue regime will respond to smooth talk.

In the next 6 months, and beyond, I hope the President will take a more sensible and, indeed, more bipartisan course so we can all accomplish what the American people seek.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business and that Senator KAUFMAN of Delaware be recognized after I have concluded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Thank you very much.

Mr. President, I thank the minority whip for his statement on the floor. I would like to suggest I see things a little differently and suggest there are a couple items I would like to speak to.

First, on Guantanamo:

President Obama took office and realized we had a serious problem in Guantanamo Bay. It is a safe and secure facility, but it has become a recruiting tool for terrorists around the world. That is not just his conclusion; it is the conclusion of people I respect very much. Among those who called for the closing of Guantanamo include the following: GEN Colin L. Powell, former Chairman of the Joint Chiefs of Staff and Secretary of State under President George W. Bush; Republican Senators JOHN MCCAIN and LINDSEY GRAHAM; former Secretaries of State James Baker, Henry Kissinger, and Condoleezza Rice; Defense Secretary Robert Gates, who served President Bush and President Obama; ADM Mike Mullen, Chairman of the Joint Chiefs of Staff; and GEN David Petraeus.

These are not politicians, these are people who represent both sides of the political aisle—Democrat and Republican—who have concluded that keeping Guantanamo open, unfortunately, is going to continue to give encouragement to the recruitment of terrorists around the world.

President Obama announced that we should start to close Guantanamo, we should start deciding the fate of each of these prisoners, and it is high time we do.

Under President George W. Bush, hundreds of Guantanamo Bay detainees were released. They were arrested, incarcerated, questioned, and released, no charges against them. It was accepted. We made mistakes on the battlefield. People came up collecting bounties for turning in prisoners who turned out not to be dangerous. These people were released. The overwhelming majority of these people didn't cause any trouble beyond that. Some did. That is a fact. I will not ignore it.

Now comes the Republican side of the aisle arguing that it is unsafe for us to transfer Guantanamo prisoners from Guantanamo to Federal prisons in the United States. I have heard the arguments. They say it is unsafe in my community of Springfield, IL, to have a convicted terrorist; that it is a threat to all the people, the 12.5 million people who live in Illinois, and they believe that is the case around the country. But if we look at the facts, that argument doesn't stand up.

Today, in the prisons of the United States, the Federal prisons, we have 355 convicted terrorists currently incarcerated, being held safely and securely. They are no threat to our safety. In my hometown of Springfield, not far away, just in southern Illinois, maybe a little over 100 miles, is Marion Federal Penitentiary. I visited there several weeks ago and talked to the men and women who are the guards and those running the prison, and they said to me: Senator DURBIN, send them here. We have dealt with terrorists. We have terrorists now on our cell block. We have had crime syndicates. We have had people from the Colombian drug cartels. We can handle them.

The mayor of Marion, IL, went out and said to the people: Are you frightened if these detainees come to Marion?

They said: No.

These guards know how to do their job. This is a Federal penitentiary that is safe. So the fear that is being espoused and bred by the other side of the aisle about Guantanamo Bay is not well placed. What the President is doing systematically and carefully is evaluating each of these prisoners.

I know of one who received notice from our government last year, after having been held for 6 years as a prisoner, that we had no case against him. No charges were going to be pursued. He is still a prisoner. We are looking for a place to put him. He is from the Gaza, a bottled up area. There is a question about whether he goes back there. But the fact is, we have no reason to believe we can convict or prosecute this man for anything. He is being held. It will be his seventh year now. He came in at age 19. He may leave at age 26 or 27. His life is dramatically changed because, unfortunately, our early inclination that he was a danger to this country turned out not to be a basis for a crime that could be prosecuted. That is the reality.

The President has addressed this issue. Just a few weeks ago he announced one of these detainees in Guantanamo Bay was finally going to face justice, and despite the protests of some on the other side of the aisle, he moved that prisoner to New York for a trial. It wasn't the first time the city of New York has had the trial of a terrorist. It has happened before. They know how to hold these terrorists in jail during the course of the trial. We don't hear panic in the streets in New York over it. The only panic and fear we hear comes from the other side of the aisle in the Senate.

The President is doing the right thing closing Guantanamo Bay and saying to the world: We will not engage in torture. We will close Guantanamo Bay. This is a new chapter and a new day for America. With this approach, we are closing down a recruiting tool for terrorists and opening the door for allies to come back to the side of the United States to join us in stopping the kind of extremism that led to the tragedy of 9/11.

So I disagree with my colleague from Arizona who has argued that we shouldn't close Guantanamo Bay. I agree with GEN Colin L. Powell and other military leaders that closing it is in the best interests of the security of the United States.

Senator KYL initiated his remarks by noting that we have reached the 6-month anniversary of the inauguration of President Obama. It is hard to imagine. It seems to have just been flying by if you are on the floor of the Senate with all of the activity and all of the business we have considered. But he made special notice of the stimulus bill.

I wish to remind people what the President inherited when he took his oath of office 6 months ago. Our economy was losing on average 700,000 jobs a month when President Obama took his oath of office. The growth rate was at a negative 6.3 percent, the worst since the 1982 recession. Home foreclosures, mortgage foreclosures were at record levels, and residential investment had fallen by more than 40 percent in just 18 months. Banks were in crisis, freezing lending, and nearly $10 trillion in wealth had been lost in the stock market. Virtually all of us who had 401(k)s or savings involved in the stock market know exactly what happened to those savings. We lost a lot of value.

As President Obama took office, this is what he inherited. He came to the

Congress and said: We can't stand idly by. We have to do something. We have to try to energize this economy, create and save American jobs; give businesses and families a fighting chance. He asked for both sides of the aisle to cooperate.

On the House side not a single Republican House Member would join the President in this effort, in this attempt at a bipartisan effort to deal with the economic situation in our country. On this side of the Rotunda, three Republican Senators stepped up and said they would work with the Democrats to try to find a way to help put our economy back on its feet—only three, despite the President's invitation for all of them to join in this conversation to try to find a compromise to work toward a solution to the problems we faced.

At the end of the day, the bill was a $787 billion recovery and reinvestment bill to be spent over 2 years. We are now 4 months into that 2-year period—150 days, roughly, into that 2-year period—and Senators are coming to the Senate floor, as did the minority whip, and saying it has failed.

Well, let's take a look and see what it has done. So far we have actually spent about $56 billion out of the $787 billion, a very small amount. We have obligated—which means we have promised to spend—up to $200 billion, 4 months into it. We are trying to address this carefully so taxpayers' funds are not wasted. But there are still those who voted against it initially who come to the Senate floor, as the previous Senator did, and say it was a failure; we shouldn't have done it.

Several things should be noted. First, they had no alternative. They had no substitute. They had no option for the economy other than to stand idly by, take two Excedrin, try to take a nap, and hope it would be better in the morning. Not good enough.

If we are going to deal with an economy with so many jobs lost, so many businesses failing, standing idly by waiting for the economy to work its way out would have been a disaster.

This stimulus package from President Obama stopped what could have been the collapse of the U.S. economy and the global economy. We still have a long way to go. We are not out of this recession, but it could have been worse. For those who say we shouldn't have done it, let me tell my colleagues: Over 40 percent of the money in the stimulus package went back to tax breaks for working families in America. Ninety-five percent of working families across America will see the benefits of the Making Work Pay tax credit in their paychecks. Those dealing with job loss, unemployed people, got an additional $25 a week. It doesn't sound like much unless you have no other source of income.

I take it from their statements those on the other side of the aisle think the tax breaks for working families should not have been enacted. They oppose the unemployment compensation benefit increases.

We also gave a helping hand to unemployed families to keep health insurance for their kids and their families. That was part of the stimulus package, as well as money for nutrition assistance, food stamps for some of these unemployed families. So when the other side of the aisle says we shouldn't have done this, they are basically saying we shouldn't have helped these unemployed families and a lot of other families across America. I think it was the right thing to do.

We are making investments in the infrastructure of America as well. Basically, we are trying to make an investment that will give us a recovery in jobs. We were losing about 25,000 jobs a day when this initially hit. Now we are trying to build back from that to create and save jobs across America. In my home State of Illinois, it means infrastructure projects, transportation infrastructure projects, and many others. So we are just beginning. We are moving in the right direction. We have stopped the worst from occurring in the economy. We are going to see a turnaround, I hope, sooner rather than later.

The President's words warrant repeating: This is not going to happen overnight, and we have to be open to the idea that it is going to take some time for us to make the kind of recovery we absolutely need.

Secondly, the Senator from Arizona talked about health care reform. Republican after Republican has come to the Senate floor—not all of them but many of them—and criticized the idea of health care reform, but they are ignoring the obvious. We have a serious problem with health care in America. We are spending twice as much per person as any nation on Earth for health care, and the results—the health care results don't show it. Many times countries spend far less, have far better outcomes in terms of curing diseases and life expectancy.

So we should ask the hard questions: Shouldn't our money be better spent? Shouldn't it be more effectively spent? Then we take a look at what we face when it comes to health insurance premiums, and we find out that premiums over the last several years have been going up three times the increase in the average worker's wages in this country.

We are falling further and further behind as the costs of health care go beyond the grasp of individual families and small businesses. So we have to tackle this, and the American people know we do. They understand this system is, unfortunately, out of control. They have called on us to fix what is broken and to preserve those parts of our system that are important.

One of the things we want to make sure we do is to say: If you have a health insurance policy today you want to keep for your family or your business, you can keep it. Nothing we say or do in the law will change that. It is ultimately your decision.

Secondly, we want to preserve the relationship between doctor and patient—the confidential relationship, the trust that has developed between them so that you can take a member of your family or yourself to a doctor and believe it is a confidential conversation and that doctor is giving the best advice possible for you. We want you to have that choice and make that decision.

What we want to stop is the mistreatment of Americans and American families by health insurance companies. You know what I mean: If you happened to have had an illness last year and it becomes a preexisting condition this year and you find out your health insurance won't cover it, or if they are going to cover it but dramatically increase your premiums, in fact, they increase your premiums without notice or any kind of forewarning that it is going to occur, these sorts of things trouble people.

The fact that their doctors have to get into a fight with health insurance clerks as to appropriate medical care and whether a person should be hospitalized; the fact that health insurance companies, private health insurance companies, have turned out to be some of the most profitable companies in America, even during the recession. All of these things are fair warning that if we don't do something about health care in this country, the costs are going to break the bank, not only for individuals, families, and businesses, but for governments at every single level.

Today many Americans live in fear of the astronomical costs that will occur if they or their families experience a health care emergency. Two and a half Illinoisans in my State of 12.5 million, more than one out of every five under the age of 65, is in a family who must spend more than 10 percent of its income on health care costs. Among those, one-fourth of those are spending more than 25 percent of their income on health care costs.

The other side says: Just leave well enough alone. This isn't ''well enough.'' For these families, this is intolerable and unsustainable. It is an astounding burden. It is 30 percent more people than the number facing the 25-percent payment than faced it 8 years ago.

There is also concern on the other side about cap and trade. Well, cap and trade is a bill that has passed the House to address global warming, to try to assign a value to carbon in our economy. Just last week we had the CEOs of three major companies come speak to us: Duke Energy, one of the largest energy companies in America, DuPont, and Siemens.

They favor the establishment of a cost for carbon. They said: Give us a transition period so that we can make our plants cleaner, our processes more energy effective, and we can meet that goal. We have the creativity to do it.

So we can reduce global warming and reduce the pollution and our dependence on foreign oil. In the meantime, we will create new businesses; new products; new technology that will be energy efficient; new jobs, 21st-century jobs that will pay well, and jobs we can keep right here in America. There are those who oppose this and say leave it as it is. Our continued dependence on foreign oil should be a source of concern to every single person.

I am also genuinely concerned that the world I am leaving my grandson might be a compromised world because of some of the bad environmental decisions that have been made by my generation. We have an opportunity to change that, to make this a cleaner planet, to show ourselves as good stewards of the Earth that God gave us, and we can work together in a bipartisan fashion to find a way to encourage the right conduct and discourage bad conduct when it comes to these energy issues. Some don't want to touch it; they just want to criticize it. At the end of the day, we won't be judged as having met our responsibility if we do nothing.

I know Senator KAUFMAN is on the floor and will ask for recognition at this time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

APOLLO MOON LANDING ANNIVERSARY

Mr. KAUFMAN. Mr. President, I rise today, on the 40th anniversary of the Apollo 11 Moon landing, to highlight the importance of scientific research and development to America's economic recovery.

Forty years ago, astronauts Neil Armstrong and Buzz Aldrin took the first human steps on the Moon. It was, needless to say, a historic moment for the United States and the world.

Eight years prior, President John F. Kennedy declared before a joint session of the Congress that the United States ''should commit itself to achieving the goal, before the decade is out, of landing a man on the moon.'' Armstrong's famous words, ''One small step for man, one giant leap for mankind,'' marked the fulfillment of President Kennedy's goal. That momentous step signaled the coronation of the United States as the world leader in the sciences—a distinction we held through the rest of the 20th century but which is now in jeopardy.

Make no mistake, the dawn of a renewed American powerhouse economy will not come without the same determination that propelled America's journey to the Moon. The key to America's success in a global economy will be the research, innovation, and hard work of our Nation's scientists and engineers.

Americans at the time were inspired by a sense of patriotism and dedication to explore the universe following the Soviets' successful launch of the Sputnik satellite. The race to the Moon launched a substantial Federal investment in scientific and technological research and development. Students across the country were inspired to study engineering, and I, a working engineer at the time, was among those inspired.

This extraordinary investment in research and development helped fuel the Nation's economic growth and left an indelible mark on our society. The discoveries and innovations of this time created new opportunities, industries, companies, products and services, and new ways of delivering old products and services more efficiently.

Unfortunately, since that time our investments in research and development have not kept up. Other nations may soon outpace us in pursuit of the technological and scientific discoveries that will define this generation. If we hope to assert our country's preeminence in these fields, we must again invest significantly and responsibily in research and development.

The vitality of our economy rests with our ability to be the world's leader in innovation. As we face some of our greatest economic challenges, the scientific and engineering community has the greatest potential to find avenues for what we need most: new, sustainable jobs. That is why I am pleased President Obama has set the goal to devote more than 3 percent of our economy to research and development—a feat that will require significant Federal as well as private investment. The American Recovery and Reinvestment Act has already provided over $20 billion of Federal funds to reach this target, and it is our job to see that these resources are spent wisely in order to achieve the maximum economic benefit.

But the national goal is also about research and development investment by private industry, which the government can help foster with pro-innovation policies. We also need to encourage a new generation of engineers through education policies that emphasize science and math.

I am confident that engineers will continue to foster the research and innovation that will lead America on the path to economic recovery and prosperity. They will help us build a clean energy economy, stay competitive in a globalizing world, and drive the real-world applications from our Nation's health and science research to improve our quality of life. Moreover, these discoveries and innovations will create millions of new jobs and invest in our future.

Just before Apollo 11 returned to Earth, Armstrong concluded that:

> The responsibility for this flight lies first with history and with the giants of science who have preceded this effort; next, with the American people, who have, through their will, indicated their desire; next, with 4 administrations and their Congresses, for implementing that will; and then, with the agency and industry teams that built our spacecraft, the Saturn, the Columbia, the Eagle, and the little EMU, the spacesuit and backpack that was our small spacecraft out on the lunar surface.

Just as we all came together in the race to the Moon over 40 years ago, we need a renewed urgency for science and engineering. The American people, the administration, Congress, agencies, and industries must unite to support the research and development that will lead us not only to new frontiers in health, energy, technology, and security, but to new jobs and, ultimately, a sustainable economic recovery.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, four decades ago, in this extraordinary feat we have recently seen repeated over and over with the death of Walter Cronkite—we have seen that time he was broadcasting live when we landed on the Moon. That restrained TV anchor exhibited extraordinary excitement at the landing on the Moon. That is what the entire world felt at the time.

I was a lieutenant in the Army and happened to be behind the Iron Curtain at the particular time we lifted off. I went to the Embassy in Budapest, Hungary, and asked if they had a TV so that we could see the launch. They said no, but to take your shortwave radio and go outside of the city on those hills and put your radio antenna up, and you can get the BBC, which we did. They cut into NASA control, and we three young Americans stood on that hill cheering as Apollo 11 lifted off.

We fulfilled the human dream of boundless flight to another celestial body. Neil Armstrong promised us that it was ''one small step for man, one giant leap for mankind.'' It was to be the first step on our way to Mars and beyond, toward new knowledge of our universe and, perhaps, the discovery of other life.

Yet today we are mired in a debate about the direction of our space program. We had a little victory last week when we had unanimously confirmed the new Administrator and Deputy Administrator of NASA. But now we are in this debate of where the space program should go. The answer should be obvious: Our thirst for knowledge requires that we explore the universe. I often say that this country is built on the character we have and that we are, by nature, explorers and adventurers. When this country was founded, our frontier was westward. Now that frontier is upward or inward. Space flight—as we continue in pushing that frontier upward, what does it do? It grows science and technology. It grows education. It grows the economy.

Earlier today, I was on one of the network talk shows, and the whole idea was, what does it do for education? My goodness, look at the competitive edge America has in the global economy today from our superiority in math, science, technology, and engineering that occurred over four decades ago. Why? Because young people were so inspired by the extraordinary feats we

were accomplishing in our space program that they wanted to go into engineering, math, science, and technology. That produced a generation of these people from whom we are continuing to reap the benefits.

Of course, space flight improves and enriches life here on Earth. How does it do that? Well, if you think about it, four decades ago what we did was—if we were going to the Moon, we had to have highly reliable systems that were small in volume and light in weight. That led to the revolution in microminiaturization. For instance, my watch is a part of the space program. All of the microminiaturization was spawned off of that necessity to get things smaller, more reliable, and light in weight. That is just one example of how it enriches life here on Earth.

If you think back to the visionary President we had who started this whole thing, President Kennedy said the opening of the vistas of space would bring high costs and grave dangers. Indeed, it did. But he said that ''this country was not built by those who rested.''

So today, on this historic anniversary, let us not rest. Our President needs to make space exploration a national priority. Our Nation needs a clear goal, and that is a lunar base, humans on Mars, and then beyond. It is up to us to continue the greatest adventure. It is up to us to reach for the stars.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1614, AS MODIFIED, 1615, AS MODIFIED, AND 1617, AS MODIFIED

Mr. LEVIN. Mr. President, I ask unanimous consent that it be in order for the Senate to consider en bloc the following amendments: amendments Nos. 1614, 1615, and 1617.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. I now call up amendments Nos. 1614, 1615, and 1617 and ask that the amendments be modified with changes at the desk and that once modified, the amendments be agreed to, as modified, and the motions to reconsider be laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments, as modified, were agreed to, as follows:

AMENDMENT NO. 1614, AS MODIFIED

(Purpose: To limit prosecutions until the Attorney General establishes standards for the application of the death penalty)

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON PROSECUTIONS.

(a) IN GENERAL.—All prosecutions under section 249 of title 18, United States Code, as added by this Act, shall be undertaken pursuant to guideline, issued by the Attorney General—

(1) to guide the exercise of the discretion of Federal prosecutors and the Attorney General in their decisions whether to seek death sentences under such section when the crime results in a loss of life; and

(2) that identify with particularity the type facts of such cases that will support the classification of individual cases in term of their culpability and death eligibility as low, medium, and high.

(b) REQUIREMENTS FOR DEATH PENALTY.—If the Government seeks a death sentence in crime under section 249 of title 18, United States Code, as added by this Act, that results in a loss of life—

(1) the Attorney General shall certify with particularity in the information or indictment how the facts of the case support the Government's judgment that the case is properly classified among the cases involving a hate crime that resulted in a victim's death;

(2) the Attorney General shall document in a filing to the court—

(A) the facts of the crime (including date of offense and arrest and location of the offense), charges, convictions, and sentences of all state and Federal hate crimes (committed before or after the effective date of this legislation) that resulted in a loss of life and were known to the Assistant United States Attorney or the Attorney General; and

(B) the actual or perceived race, color, national origin, ethnicity, religion, gender, sexual orientation, gender identity, or disability of the defendant and all victims; and

(3)(A) the court, either at the close of the guilt trial or at the close of the penalty trial, shall conduct a proportionality review in which it shall examine whether the prosecutorial death seeking and death sentencing rates in comparable cases in Federal prosecutions are both greater than 50 percent; and

(B) if the United States fails to satisfy the test under subparagraph (A), by a preponderance of the evidence, the court shall dismiss the Government's action seeking a death sentence in the case.

AMENDMENT NO. 1615, AS MODIFIED

(Purpose: To authorize the death penalty)

At the apporpriate place insert the following:

title, or both, and shall be subject to the penalty of death in accordance with chapter 228 (if death results from the offense), if—

''(i) death results from the offense; or

''(ii) the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

''(2) OFFENSES INVOLVING ACTUAL OR PERCEIVED RELIGION, NATIONAL ORIGIN, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY.—

''(A) IN GENERAL.—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (3), willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity or disability of any person—

''(i) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and

''(ii) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, and shall be subject to the penalty of death in accordance with chapter 228 (if death results from the offense), if—

AMENDMENT NO. 1617, AS MODIFIED

(Purpose: To require that hate-crimes offenses be identified and prosecuted according to neutral and objective criteria)

At the appropriate place, insert the following:

SEC. _____. GUIDELINES FOR HATE-CRIMES OFFENSES.

Section 249(a) of title 18, United States Code, as added by section _____ of this Act, is amended by adding at the end the following:

''(4) GUIDELINES.—All prosecutions conducted by the United States under this section shall be undertaken pursuant to guidelines issued by the Attorney General, or the designee of the Attorney General, to be included in the United States Attorneys' Manual that shall establish neutral and objective criteria for determining whether a crime was committed because of the actual or perceived status of any person.''.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. KENNEDY. Mr. President, Senator SESSIONS has introduced an amendment that would create two new death penalty eligible offenses for crimes under the Matthew Shepard Act. I stand firmly in opposition to any new legislation that would radically expand the use of the death penalty, and I urge my colleagues in the Senate to oppose the Sessions amendment because it adds another new death penalty to the Federal Criminal Code.

Since the reinstatement of the death penalty in the 1970s, the Death Penalty Information Center has reported that 135 people have been released from death row in the United States because of innocence—approximately one exoneration for every nine executions. Some have attempted to argue that the large number of death row exonerations demonstrates that the system is working. Yet in many cases, fatal mistakes were avoided only because of discoveries made by students or journalists, not the courts.

In the last 6 months, there have already been five exonerations in death penalty cases in four different States. Ronald Kitchen was freed from prison in Illinois after the State dismissed all charges against him on July 7. He had spent 13 years on death row and a total of 21 years in prison. Herman Lindsey was freed from Florida's death row on July 9 after the State supreme court unanimously ruled for his acquittal from a 2006 conviction. As the court said:

> [T]he State failed to produce any evidence in this case placing Lindsey at the scene of the crime at the time of the murder. . . . Indeed, we find that the evidence here is equally consistent with a reasonable hypothesis of innocence.

There have also been three other exonerations of death row prisoners, including Nathson Fields in Illinois, Paul House in Tennessee, and Daniel Moore in Alabama.

This high number of exonerations has led many observers, both liberal and conservative, to express concern about

the fairness of the death penalty's administration. As former Supreme Court Justice Sandra Day O'Connor has stated ''if statistics are any indication, the system may well be allowing some innocent defendants to be executed.'' How can we continue to expand a system that likely leads to the execution of innocent defendants?

The U.S. Government should not be in the business of taking the lives of innocent Americans. Supreme Court Justice Arthur Goldberg once said that the deliberate institutionalized taking of human life by the state is the greatest degradation of the human personality imaginable. We must not expand this flawed system by accepting Senator SESSIONS' broad amendment.

In 2007, New Jersey became the first State to repeal the death penalty since the modern era of capital punishment began in the 1970s. New Mexico followed in 2009. The number of States without a death penalty has now increased to 15. States have begun to recognize that flawed administration of the death penalty has dire consequences—no matter how slight or unintentional that flaw may be.

The American public has also recognized the danger created by a society that supports the death penalty. A 2008 Gallup poll found that support for the death penalty is at its lowest level in the last 30 years. American citizens are deciding that they will not tolerate this archaic form of punishment.

Furthermore, there is no denying that there is a pattern of racial bias in death sentencing. A study in California found that those who killed Whites were over three times more likely to be sentenced to death than those who killed Blacks, and over four times more likely than those who killed Latinos. In addition, a study found that in 96 percent of the States where there have been reviews of race and the death penalty, there was a pattern of either race-of-victim or race-of-defendant discrimination, or both. Administration of the death penalty is flawed, and that flaw disproportionately affects racial minorities.

The average cost of defending a Federal murder case when the death penalty is sought is $620,000. That is about eight times the cost of a Federal murder case in which the death penalty is not sought. It has been shown time and time again that sentencing an individual to life in prison is far cheaper than the administration of the death penalty. For example, the California death penalty system costs taxpayers $114 million a year beyond the costs of keeping convicts locked up for life. Taxpayers have paid more than $250 million for each of the State's executions. While the monetary costs of seeking the death penalty are high, the possibility of executing an innocent American is the ultimate cost.

Some argue in favor of the death penalty because they believe it deters individuals from committing some of the most severe crimes. According to a survey of the former and current presidents of the Nation's top academic criminology societies, 88 percent of these experts rejected the notion that the death penalty acts as a deterrent to murder. In addition, a Hart Research Poll of police chiefs in the U.S. found that the majority of the chiefs do not believe that the death penalty is an effective law enforcement tool. If the death penalty does not deter violent crime, we shouldn't ask our government to play executioner.

Stephen Bright is a preeminent scholar on the death penalty. In his law review article Will the Death Penalty Remain Alive in the Twenty-First Century?, he states:

> If we here in the United States examine our own system, face its flaws, and think about what kind of society we want to have, we will ultimately conclude that, like slavery and segregation, the death penalty is a relic of another era, that it represents the dark side of the human spirit, and that we are capable of more constructive approaches to the problem of crime in our society.

All violent crime is reprehensible and deserves to be punished. However, as Stephen Bright points out, we are capable of more constructive approaches to dealing with crime than by using the death penalty. The death penalty is a relic of the past. It has been proven to lead to wrongful executions where innocent lives are lost at the hand of their government. Although most developed nations in the world have abandoned the death penalty, the United States, which purports to be a leader in the protection of human rights, continues to increase the number of death-eligible offenses that are on the statute books.

The Kennedy amendment being offered will ensure consistency with existing federal law and Supreme Court precedent by setting forth clear standards for the use of the federal death penalty only in hate crimes cases where a murder occurs. Given concerns regarding the well-documented mistakes and racial disparities associated with death penalty cases, this amendment adds appropriate safeguards in cases where the federal government seeks the ultimate—and irreversible—penalty of death. In a hate crime prosecution involving the death penalty, the amendment will empower the trial court to determine whether the case was properly considered to be among the most aggravated of death-eligible hate crimes.

The Kennedy amendment is modeled after an existing Nebraska State law, and will establish a system of meaningful proportionality review in capital hate crime prosecutions. If the court determines that a case is not among the ''worst of the worst'' of hate crimes resulting in a homicide, it can dismiss the government's request for a death penalty at the conclusion of the guilt trial or at the conclusion of the penalty trial, before the sentencing decision is submitted to the jury. Under the Kennedy amendment, the test applied by the trial court to determine whether a case is among the ''worst of the worst'' is whether death sentences are sought and imposed more than half the time in similar Federal cases. This information will enable the court to assess the extent to which race or other inappropriate factors may have been a systemic factor in prior capital charging and sentencing decisions in hate crimes that have resulted in the victim's death. The Kennedy amendment's requirements are a significant improvement over existing Federal practice in death penalty cases.

Senator SESSIONS' amendment increases the number of death-eligible offenses. It expands the use of the death penalty to two new offenses—those created by the Matthew Shepard Act. It is time to stand up against expansion of the death penalty. With this statement, I submit several letters of opposition to the Sessions amendment and other amendments proposed by Senator SESSIONS. I urge my colleagues to vote against Senator SESSIONS' amendment and to support the Kennedy amendment to correct the flaws in Senator SESSIONS' proposal.

In addition, Senator SESSIONS has introduced an amendment that creates a new Federal criminal offense for cases involving assaults or battery of a U.S. serviceman—or a member of the serviceman's immediate family. It creates a new Federal crime to punish individuals who knowingly destroy or injure the property of an active or retired serviceman or the property of an immediate family member, or conspires to do so. Crimes against veterans, members of the armed service are reprehensible. It is undeniable that our Nation is held together by the protection that these brave men and women provide each day. This amendment places another mandatory minimum in our Federal code. Mandatory minimums are unjust, unwise and unnecessary. Such sentences tie the court's hand to review the facts of an individual case. I hope that problems with the broad language of this amendment and the inclusion of a mandatory minimum can be worked out in conference.

Finally, I appreciate that we were able to work with Senator SESSIONS to make some modifications to his amendment regarding the issuance of Attorney General guidelines for hate crime offenses. For over 40 years, the Justice Department's record demonstrates objective decisionmaking when selecting hate crime cases for prosecution—regardless of the administration in charge.

DOJ guidance and professional responsibility rules already guard against any nonmeritorious prosecution. As originally drafted, Senator SESSIONS' amendment could have prevented ''mistake of fact'' cases—such as an attack against a White person whom the defendant believed to be African American or cases based upon associations—in which a White woman is targeted because her spouse is African American. In addition, there was concern about whether the amendment

could also impede prosecutions where a hate crimes victim was perceived to be African American, Latino, or gay because the amendment covers a more narrow class of victims than those covered under the hate crimes bill. With the cooperation and assistance from Chairman LEAHY's staff along with Senator SESSIONS' staff, I believe that the modified version of this amendment will address these concerns so that the amendment will not be interpreted in any way to limit the scope of victims who are protected under the Matthew Shepard Act.

Mr. President, I ask to have the letters to which I referred printed in the RECORD.

The letters follow.

AMERICAN CIVIL LIBERTIES UNION,
Washington, DC, July 20, 2009.

Re: ACLU urges ''No'' vote on SA 1615—Sessions Death Penalty Amendment to Hate Crimes Amendment in Defense Authorization Bill (S. 1390); Sessions amendment is unconstitutional.

DEAR SENATOR: On behalf of the American Civil Liberties Union (ACLU), a non-partisan organization with more than a half million members, countless activists and supporters, and fifty-three affiliates nationwide, we write to urge you to oppose Senate Amendment 1615, being offered by Senator Jeff Sessions (R–AL) to the National Defense Authorization Act (S. 1390). This unconstitutional and misguided amendment seeks to expand the reach of the federal death penalty, including to non-homicide crimes, by adding it to a hate crimes provision that the Senate adopted by unanimous consent on Thursday night.

Capital punishment has been proven to be an unreliable and expensive means of punishment and Congress should oppose any effort to expand its scope and reach. According to the Death Penalty Information Center, 135 innocent people have been exonerated from death row since 1973, including five so far in 2009 alone. Such a high error rate illustrates the fallibility of our nation's death penalty system. Indeed, chronic problems, including inadequate defense counsel and racial disparities, have always plagued the death penalty system in the United States. In a 2003 report entitled ''Death by Discrimination—The Continuing Role of Race in Capital Cases,'' Amnesty International found that even though blacks and whites are murder victims in nearly equal numbers of crimes, 80 percent of people executed since the death penalty as reinstated have been executed for murders involving white victims. More than 20 percent of black defendants who have been executed were convicted by all-white juries. Even if one supports the death penalty in theory, there is no justifiable reason to expand our system of capital punishment while such discriminatory impacts continue to exist.

A troubling record of the death penalty being imposed on defendants who were later found to be innocent, along with a long history of racial and geographic disparities in its use, have spurred states to move away from its use. In 2007 and 2008, New Jersey and New Mexico, respectively, abolished the death penalty, bringing to 15 the number of states (including the District of Columbia) that currently have no death penalty. In addition, in recent years, the number of death sentences returned by juries has declined precipitously—from around 300 a year in the 1990s to approximately 120 in the past few years.

The ACLU is also concerned that the Sessions Amendment would unconstitutionally expand the reach of the federal death penalty to include certain non-homicide crimes. The United States Supreme Court has already held that the death sentence is an unconstitutional penalty for kidnapping (see Eberheart v. Georgia); sexual abuse (see Coker v. Georgia and Kennedy v. Louisiana); and attempted murder (see Enmund v. Florida and Tison v. Arizona), all crimes included in the scope of the Session amendment. To now expand the reach of the federal death penalty to these non-homicide crimes would be clearly unconstitutional, under recent Supreme Court precedent.

The ACLU has a long history of supporting civil rights legislation, including legislation responding to criminal civil rights violations. While we did not support the underlying hate crimes provision in the defense authorization bill because of First Amendment weaknesses, an expansion of the federal death penalty stands in stark contrast to furthering the cause of civil rights in the United States.

The ACLU urges you to oppose the Sessions Amendment (S.A. 1615) to the defense authorization bill and to vote ''NO'' when it comes to the floor. The ACLU will score this vote. Please do not hesitate to contact Chris Anders at (202) 675–2308 if you have any questions regarding this amendment or the underlying hate crimes provision.

Sincerely,

MICHAEL W. MACLEOD-BALL,
Interim Director, ACLU Washington Legislative Office.
CHRISTOPHER E. ANDERS,
Senior Legislative Counsel.
JENNIFER BELLAMY,
Legislative Counsel.

LEADERSHIP CONFERENCE ON CIVIL RIGHTS,
Washington, DC, July 20, 2009.

DEAR SENATOR: On behalf of the civil rights, religious, professional, civic, and educational groups below, we write to urge you to oppose two unnecessary and harmful amendments offered by Senator Sessions to S. 1390, the FY 2010 Department of Defense Authorization bill.

As strong supporters of S. 909, the Matthew Shepard Hate Crimes Prevention Act (HCPA), we supported the addition of this legislation as an amendment to S. 1390 last week. At a time when Congress is poised to advance civil rights protection by promoting new Federal-state partnerships and providing new tools to address bias-motivated violence, the proposed amendments by Senator Sessions (a staunch opponent of the HCPA) would be a disturbing step backward—and raise the prospects of unequal, politically-motivated, shifting standards of justice in applying the new hate crime law in the future.

One amendment offered by Senator Sessions, S.Amdt. 1615, would add the death penalty to the provisions of the HCPA. We strongly oppose this amendment.

The HCPA was first introduced in 1997, but no version of the bill has ever included the death penalty. Senate and House sponsors of the bill and the very broad coalition of supporters have always opposed adding the death penalty to this legislation. The House of Representatives approved its very similar version of this measure, HR 1913, the Local Law Enforcement Hate Crime Prevention Act, without the death penalty on April 29 by a vote of 249–175. An amendment to add the death penalty was defeated at the House Judiciary Committee markup.

Supporters of the HCPA should oppose this amendment. The death penalty is irreversible and highly controversial—with significant doubts about its deterrent effect and clear evidence of disproportionate application against poor people. Moreover, there are serious, well-documented concerns about unequal and racially biased application of the death penalty. According to the Justice Department's Bureau of Justice Statistics, since 1977, blacks and whites have been the victims of murders in almost equal numbers, yet 80% of the people executed in that period were convicted of murders involving white victims.

Importantly, the vast majority of hate crimes are prosecuted by state and local officials. Failure to include the death penalty in the HCPA, which will be codified at 18 U.S.C. 249, will not impact state action. States with the death penalty are free to pursue that option.

We also urge you to oppose another amendment, SA 1617, offered by Senator Sessions. This amendment would require the Attorney General to promulgate guidelines with ''neutral and objective criteria for determining whether a crime was motivated by the status of the victim.'' This amendment is unnecessary and injects politics into the Justice Department decision-making process in these cases. Senators should be especially concerned that this additional Attorney General guidance could vary from Administration to Administration, resulting in uncertainty and, at worst, an unequal application of this important law.

Moreover, the amendment is redundant. The HCPA already requires the Attorney General to certify that a crime meets the requirement of the statute before initiating any prosecution:

(A) the State does not have jurisdiction;

(B) the State has requested that the Federal Government assume jurisdiction;

(C) the verdict or sentence obtained pursuant to State charges left demonstratively unvindicated the Federal interest in eradicating bias-motivated violence; or

(D) a prosecution by the United States is in the public interest and necessary to secure substantial justice.

This language tracks the very similar certification requirement from an existing statute, 18 U.S.C. §245. FBI investigators and Justice Department prosecutors have had forty years of experience under this parallel statute to develop well-established procedures governing the conduct of prosecutors—and for determining whether a case is bias-motivated and whether the Justice Department has jurisdiction to pursue it. There is no record of abuse by the Justice Department in selective prosecutions or in using its authority capriciously or arbitrarily. Therefore, there is no need to burden these prosecutions with another layer of guidance and another procedural obstacle.

The time for action to update and expand federal hate crime law is now. These amendments offered by Senator Sessions are unnecessary and harmful and we urge you to oppose them.

Please contact Michael Lieberman, Anti-Defamation League Director, Civil Rights Policy Planning Center or Nancy Zirkin, LCCR Executive Vice President with any questions. Thank you in advance for your support.

Sincerely,

Anti-Defamation League; Human Rights Campaign; Leadership Conference on Civil Rights; National Council of Jewish Women; American Association of People with Disabilities; American Association of University Women (AAUW); American Federation of Labor-Congress of Industrial Organizations (AFL–CIO) American Federation of Teachers.

American Jewish Committee; Amputee Coalition of America; Asian American Justice Center; Association of University Centers on Disability; Bazelon Center for Mental Health Law; B'nai B'rith International; DignityUSA; Disability Rights Education and Defense Fund.

Family Equality Council; GLSEN—The Gay, Lesbian and Straight Education Network; Helen Keller National Center National Coalition on Deaf-Blindness; Hindu American Foundation; Human Rights Campaign; Human Rights First; Jewish Council for Public Affairs; Legal Momentum.

NAACP; NA'AMUT USA; National Advocacy Center of the Sisters of the Good Shepherd; National Center for Transgender Equality; National Coalition for the Homeless; National Coalition on Deaf-Blindness; National Coalition to Abolish the Death Penalty; National Congress of Black Women.

National Council of La Raza; National Disability Rights Network; National Gay and Lesbian Task Force Action Fund; National Urban League; Orthodox Church in America; Parents, Families and Friends of Lesbians and Gays (PFLAG) National; People for the American Way; Religious Institute.

School Social Work Association of America; Sikh American Legal Defense and Education Fund; The American-Arab Anti-Discrimination Committee (ADC); Union for Reform Judaism; Unitarian Universalist Association of Congregations; United Methodist Church, General Board of Church and Society; Women of Reform Judaism; YWCA USA.

AMERICAN BAR ASSOCIATION,
Washington, DC, July 20, 2009.

DEAR SENATOR: I write on behalf of the American Bar Association to urge you to vote against the Sessions Amendment (No. 1615) to create a death penalty offense for what are now non-capital hate crimes. We understand that the amendment will be offered during consideration of S. 1390, Department of Defense authorization legislation.

For decades, the American Bar Association has studied the administration of the death penalty in the United States and identified serious concerns that must be addressed by all jurisdictions that seek to impose it. Among these concerns are: (1) the lack of competent counsel in capital cases; (2) the need for proper procedures for adjudicating claims in capital cases (including the availability of federal habeas corpus); and (3) racial discrimination in the administration of capital punishment. The ABA has called for reforms that are consistent with many longstanding ABA policies intended to ensure that death penalty cases are administered fairly and impartially, in accordance with due process, and to minimize the risk that innocent persons may be executed.

The proposed Sessions Amendment to S. 1390 (''Amendment'') fails to address the profound concerns articulated by the ABA and others about the lack of fairness and due process in the federal death penalty system. To expand an already ''broken system'' without first addressing the serious flaws in the system would risk the execution of innocent persons and other acts of injustice.

The Amendment would also result in an unprecedented and unconstitutional expansion of the federal death penalty. Unlike every other state death penalty statute in the United States, a death sentence pursuant to this Amendment is available for an offense that did not result in the death of a victim. The United States Supreme Court has definitively ruled that a death sentence is inappropriate when the offense did not result in the death of the victim. *Kennedy* v. *Louisiana*, 554 US (2008). The Court held that none of these laws, where the crime against an individual involved no murder, were in keeping with the national consensus restricting the death penalty to the worst offenses. The ABA is thus concerned that the proposed Amendment is not consistent with constitutional principles or Supreme Court precedent.

The ABA strongly condemns hate crimes; we adopted policy in 1987 that states that ''the ABA condemns crimes of violence including those based on bias or prejudice against the victim's race, religion, sexual orientation, or minority status, and urges vigorous efforts by federal, state, and local officials to prosecute the perpetrators and to focus public attention on this growing national problem.'' Likewise, ABA supports the aggressive prosecution and deterrence of these offenses. However, in light of its experiences, studies, and policies on the death penalty, the ABA opposes an expansion of the current federal death penalty system so that these crimes would carry a potential death sentence for offenders.

The American Bar Association thus urges you to vote against this Amendment when it is considered on the Senate floor.

Sincerely,

THOMAS M. SUSMAN,
Director, Governmental Affairs Office.●

AMENDMENT NO. 1616

Mr. LEVIN. Mr. President, I ask unanimous consent that the Sessions amendment No. 1616 now be the pending business, and that at 4:10 p.m., the Senate proceed to vote in relation to the amendment, with the time until then equally divided and controlled in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. SESSIONS, proposes an amendment numbered 1616.

Mr. LEVIN. Mr. President, I ask unanimous consent, with the permission of the Senator from Alabama, that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit assault or battery of a United States serviceman on account of the military service of the United States serviceman or status as a serviceman)

At the appropriate place, insert the following:

SEC. ____. ATTACKS ON UNITED STATES SERVICEMEN.

(a) IN GENERAL.—Chapter 67 of title 18, United States Code, is amended by adding at the end the following:

''§ 1389. Prohibition on attacks on United States servicemen on account of service

''(a) IN GENERAL.—Whoever knowingly assaults or batters a United States serviceman or an immediate family member of a United States serviceman, or who knowingly destroys or injures the property of such serviceman or immediate family member, on account of the military service of that serviceman or status of that individual as a United States serviceman, or who attempts or conspires to do so, shall—

''(1) in the case of a simple assault, or destruction or injury to property in which the damage or attempted damage to such property is not more than $500, be fined under this title in an amount not less than $500 nor more than $10,000 and imprisoned not more than 2 years;

''(2) in the case of destruction or injury to property in which the damage or attempted damage to such property is more than $500, be fined under this title in an amount not less than $1000 nor more than $100,000 and imprisoned not more than 5 years; and

''(3) in the case of a battery, or an assault resulting in bodily injury, be fined under this title in an amount not less than $2500 and imprisoned not less than 16 months nor more than 10 years.

''(b) EXCEPTION.—This section shall not apply to conduct by a person who is subject to the Uniform Code of Military Justice.

''(c) DEFINITIONS.—In this section—

''(1) the term 'Armed Forces' has the meaning given that term in section 1388;

''(2) the term 'immediate family member' has the meaning given that term in section 115; and

''(3) the term 'United States serviceman'—

''(A) means a member of the Armed Forces; and

''(B) includes a former member of the Armed Forces during the 5-year period beginning on the date of the discharge from the Armed Forces of that member of the Armed Forces.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 67 of title 18, United States Code, is amended by adding at the end the following:

''1389. Prohibition on attacks on United States servicemen on account of service.''.

Mr. LEVIN. I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Alabama.

Mr. SESSIONS. Did we get an agreement on the time before we vote?

The PRESIDING OFFICER. The time is equally divided until 4:10 p.m.

Mr. SESSIONS. Madam President, I thank Senator LEVIN. It is always a pleasure to work with him and others who work with us to make sure that when we prosecute a hate crime that results in death, that it is possible to have the death penalty in Federal court. I think that is appropriate in those instances where it may be appropriate for the Federal Government to proceed with such a death penalty prosecution. It would be odd that it would not be possible and a crime could have resulted—easily in multiple murders—by one of the most vicious criminals one can imagine.

The next amendment I call the soldiers amendment. It is distinct from the hate crimes legislation we have been discussing. It expands the protections that the United States of America provides to its soldiers. Remember, we provide protections now to Federal officers, postmen—any Federal officer of the United States is protected, and so are soldiers in certain circumstances.

This amendment would create a new Federal crime which puts members of the U.S. military on equal footing with other protected classes. It makes it a crime to knowingly assault, batter a serviceman or immediate family member or knowingly destroy or injure

their property ''on account of the military service or status of that individual as a United States serviceman . . . ''

It is not a total expansion of Federal law, but it says if you are attacked or assaulted, battered, or your family members are simply because you are a member of the U.S. military serving your country, then the Federal Government would obviously have the ability to prosecute because it is a high duty, and no higher responsibility, for the U.S. Government to protect its soldiers from assaults arising from their service to our country.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Madam President, we have had problems with these assaults on our military officers. This will be a good step in correcting that situation.

I thank the Chair for the opportunity to speak. I hope my colleagues will support the amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, first, I thank the Senator from Alabama for this amendment. He is a valued member of the Armed Services Committee. He knows, as we all know, because of our work on the Armed Services Committee, how our men and women in uniform protect us, and we should do everything we can when it comes to our criminal laws to protect them and their families. This amendment is aimed at doing this. It would create a new Federal crime. It is appropriate we do that. I support the amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 1616.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT), the Senator from Missouri (Mr. BOND), the Senator from Florida (Mr. MARTINEZ), and the Senator from Alaska (Ms. MURKOWSKI).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 234 Leg.]

YEAS—92

Akaka	Enzi	Menendez
Alexander	Feingold	Merkley
Barrasso	Feinstein	Murray
Baucus	Franken	Nelson (NE)
Bayh	Gillibrand	Nelson (FL)
Begich	Graham	Pryor
Bennet	Grassley	Reed
Bingaman	Gregg	Reid
Boxer	Hagan	Risch
Brown	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bunning	Hutchison	Sanders
Burr	Inhofe	Schumer
Burris	Inouye	Sessions
Cantwell	Isakson	Shaheen
Cardin	Johanns	Shelby
Carper	Johnson	Snowe
Casey	Kaufman	Specter
Chambliss	Kerry	Stabenow
Coburn	Klobuchar	Tester
Cochran	Kohl	Thune
Collins	Kyl	Udall (CO)
Conrad	Lautenberg	Udall (NM)
Corker	Leahy	Vitter
Cornyn	Levin	Voinovich
Crapo	Lieberman	Warner
DeMint	Lincoln	Webb
Dodd	Lugar	Whitehouse
Dorgan	McCain	Wicker
Durbin	McCaskill	Wyden
Ensign	McConnell	

NOT VOTING—8

Bennett	Kennedy	Mikulski
Bond	Landrieu	Murkowski
Byrd	Martinez	

The amendment (No. 1616) was agreed to.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. I ask unanimous consent I be allowed to speak for 5 minutes and Senator HUTCHISON to follow me.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. I was going to inquire of the Senator whether he is speaking on the bill? It is morning business.

Mr. MCCAIN. For how long?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. DEMINT. Madam President, I know we are debating the Defense Authorization bill and a myriad of other things we are sticking into the bill. Nationally, Americans are focused on health care and what the President and the majority are trying to push through in a mad rush that we seem to have been in all year long under this guise of crisis. It is pretty amazing in that the legislation we are talking about would not take effect for several years, so it is incredible we are being told we need to pass this in the next couple of weeks before we go home in August.

The last time the President made grand promises and demanded passage of a bill before it could be reviewed or even read, we ended up with the colossal stimulus failure and unemployment near 10 percent. Now we are being told they misread the economy. But we were urged to pass this within a day or two because we had to do it in order to keep unemployment below 8 percent.

Now the President wants Americans to trust him again but he cannot back up the utopian promises he is making about a government takeover of health care. He insists his health care plan will not add to our Nation's deficit, despite the nonpartisan Congressional Budget Office saying exactly the opposite.

Today we learned that the President is refusing to release a critical report on the state of our economy which contains facts essential to this debate. What is he hiding? If the actual legislation came close to matching the President's rhetoric, he would have no problem passing this bill, with huge Democratic majorities in both Chambers. But Americans are not being fooled and we are discovering the truth about his plan, which includes rationed care, trillions in new costs and high taxes, and penalties which will destroy jobs, and even government-funded abortion.

In addition, we are looking at a deficit increased by hundreds of billions of dollars and billions in new taxes on small businesses. It could destroy over 4 million more jobs, according to a model by the President's own chief economic adviser, and it could force 114 million Americans to lose their health care, according to a nonpartisan group.

Let's be clear. There is no one in this debate advocating that we do nothing, despite the President's constant straw man arguments. Republicans have offered comprehensive health care reform solutions that cover millions of the uninsured without exploding costs, raising taxes, and rationing care. Since I have been in Congress, we have introduced a number of proposals that would help the uninsured buy their own policies.

We have introduced bills that would allow them to deduct it from their taxes just as businesses do, but our Democratic colleagues have killed it. We have introduced legislation that would allow Americans to buy health insurance anywhere in the country, to make it more competitive and more affordable, but the Democrats have killed it. We have introduced legislation that would allow Americans to use money in their health savings accounts to pay for an insurance premium, but the Democrats have killed it. We have introduced legislation that would stop all these frivolous and wasteful lawsuits that cause the cost of medicine to go up, but the Democrats have killed it. We have introduced association health plans that would allow small businesses to come together so they could buy policies less expensively, but the Democrats have killed it. Now they want to come back and say the government needs to take over health care.

It makes absolutely no sense at all. We can give every American access to affordable health insurance plans if we get out of the way and allow the market to work.

This is no time to rush into another government takeover of another part of the American economy, spending billions of dollars we do not have and raising taxes on the small businesses that create jobs.

There are good solutions. I introduced one a couple of weeks ago that

would give people fair treatment. If you do not get your insurance at work or you are unemployed, we will give you $5,000 a year to buy health insurance. That is fair treatment. It is the same basic benefit we give people who get insurance at work, good insurance that does not cost any more money.

I would encourage the President to stop the rhetoric, let us take some time for debate, let's reform health care in a way that makes it possible for every American to have a health insurance plan they can afford and own and keep. We do not need the government to take it over.

I yield for the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

APOLLO 11 ANNIVERSARY

Mrs. HUTCHISON. Madam President, today I rise to speak and commemorate a great milestone; that is, Apollo 11, the anniversary of its landing.

Forty years ago today, on a hot Sunday afternoon in Texas, three astronaut families and close friends in the Houston suburb of El Lago were gathered around television sets in the privacy of their homes watching grainy broadcasts and listening to the sounds from a small loudspeaker wired from Mission Control conveying the voices of astronaut Charlie Duke's conversation with the Apollo 11 astronauts during the final moments leading to the first landing on the Moon.

It was an intensely personal experience for all of them and yet one shared by much of the world. Everyone was glued to their televisions, those who could get to a television at that moment, and waiting for the word, wherever they were. It was 3:18 p.m. Houston time when Neil Armstrong announced: ''Houston, Tranquility Base here, The Eagle has landed.''

A baseball game in Yankee Stadium in New York was stopped, and the announcement made that America had put men on the Moon. The audience erupted in applause and then burst into singing ''The Star Spangled Banner.'' In college dormitories, in workplaces, in living rooms across the world, people gathered to watch this broadcast of the ''giant leap for mankind'' that Neil Armstrong made, and Buzz Aldrin following him onto the surface of the Moon, that attracted and compelled millions of people throughout the world.

The Apollo 11 landing is forever etched in the minds of those who watched it or heard it. They are bound together in the history of mankind in a stunning milestone in the advancement of humanity.

The Apollo Program gave us the very first view through the eyes of human beings, captured and transmitted by their cameras, of the Earth, our own spaceship against the infinite backdrop of space. It gave us great advancement in technology, new industries, capabilities benefitting everyone on Earth, especially medical science and quality of life.

Most importantly, it gave us a new vision of ourselves as a nation and the sense of our ability to accomplish things that once seemed utterly impossible and probably were not even thought about but yet had just happened.

The anniversary we celebrate today comes at a time when we need to be reminded that we can overcome challenges and achieve great things when we are committed and dedicated and prepared to step up to the plate. We face enormous challenges as a nation and as part of the global community: finding solutions to our current economic crisis; ensuring our national security; finding solutions to the many domestic issues we face in health care, unemployment, energy, and the environment.

What many may not recall is that in May of 1961, President Kennedy spoke to Congress on ''urgent national needs.'' He spoke of issues strikingly similar to those we face today. He began with a focus on ''the great battleground for the defense of freedom'' being in Asia, Latin America, Africa, and the Middle East, and of enemies of freedom whose ''aggression is more often concealed than open.''

Remember this is 1961, and the President is talking about issues that relate to us today. Yet, he said, as he turned to the economy, he described the need ''to turn recession into recovery'' and meeting ''the task of abating unemployment and achieving a bold use of our resources.'' He spoke of shoring up our international allegiances and providing aid to developing countries seeking to establish themselves as democratic states. He spoke of reshaping our military to better meet unconventional threats and mobility and flexibility in response and the need to ensure effective and accurate intelligence.

This sounds so familiar because we are talking about a Moon landing, but yet we are facing all of these domestic, international, and security issues at the same time. But yet we do not lose that zeal to command something that is beyond the parameters we have known.

President Kennedy spoke of the need to expand efforts in civil defense, what we might now call homeland security, to ensure the safety of our citizens at home. He spoke of renewed calls for arms control and reductions in nuclear arsenals across the globe.

Finally, he focused his concluding remarks on the challenge of space exploration saying:

> Now is the time . . . for a great new American enterprise—time for this Nation to take a clearly leading role in space achievement which, in many ways, may hold the key to our future on earth.

He went on to use those words that are perhaps the most familiar from that speech.

> I believe this Nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to the earth.

President Kennedy made that commitment for U.S. leadership in space and set the highest possible goal for establishment of that leadership with the Apollo Program at a time when the Nation faced challenges not unlike those we face today. I believe he did so because he saw that space exploration was something that could elevate the entire national spirit and enhance its broader economy and national security.

As we celebrate the anniversary of the lunar landing, we honor the vision, the courage, and the accomplishments of all of the men and women of Apollo, whether astronauts, engineers, flight directors, or assembly workers, and their families. We thank them for two generations of excellence and leadership in science and technology.

How do we best honor that legacy? We can do it by continuing our Nation's commitment to space exploration and to sustain the leadership role they won for us in those early pioneering days. We must recognize, as President Kennedy did, that space exploration was an important and urgent national need, not an activity to be short-changed or sacrificed in the face of other pressing economic and security concerns.

We must make the investment needed to ensure that the United States has the ability to launch humans into space. Today, we are looking at a few more missions of our space shuttle, and then we are looking at up to 5 years in which America will not be able to put men and women in space at all.

This is, as Charles Krauthammer said in a recent article: Five years in which we are going to beg Russia or even China for space on their spaceships to be able to put men and women in space.

Forty years ago America did something that changed our country and the world. It gave us new technology. It gave us the dominance of space for our national security purposes. It gave us the ability to have satellite-guided missiles that can now go into a window from miles away and stop the collateral damage and the death of innocent humans when we are in a war situation. It has given us so much. Forty years later we are sitting here with a space program where we are going to have 5 years in which we cannot put men and women into space with our own vehicle. That is not what we should be celebrating on this 40th anniversary. We should be celebrating a renewal of the commitment to space exploration.

We should be celebrating that we are going to finish out an international space station in which many of our international partners have invested billions, as have we, and that we are committed to putting people in that space station that is now designated as a national laboratory—our part is—to have the scientific exploration capability to be able to take the next step in medical research that cannot be done on Earth because we have that national lab.

The idea that we would make that investment and then not be able to put people there for 5 years is unthinkable. That is what it is, it is unthinkable.

So I want to remember the words of President Kennedy, and I have to say I want to remember another speech that President Kennedy made. It was at Rice University. He was talking about why we are committed to putting people on the Moon, why we are committed to things that are so visionary for the future.

He said: Why would we put people into space? Why would Rice play Texas? Not because it is easy but because it is hard.

That very next year, Rice tied the University of Texas in football. It was not in the same league as putting men on the Moon. It was not. But he had the vision and he also had the humor to convey it. He knew what made our country the best country in the world was the vision of doing things that would be seemingly impossible and having the capacity and commitment to do it.

That is what President Kennedy led us to do 40 years ago. Today we must renew that commitment. That is the only way we can show we are worthy of all that has gone on before us that led to Neil Armstrong's famous words: ''One small step for man, one giant leap for mankind.''

I hope with all of the remembrances we are making that the real effort that will be made is what Charlie Bolden said when he was in our committee last week. The chairman of the committee asked Charlie: ''NASA's deteriorating. Tell me why we should support it?''

Charlie Bolden, the new Administrator of NASA, said:

> I am committed to doing it and doing it right. We have to have the commitment of Congress to make it happen.

He knows what is right. He is a former astronaut, he is an engineer, he is a great Texan who is a visionary and the person who can implement that vision, and we are going to support him in every way.

I hope all of my colleagues in Congress will do the same thing on the eve of the anniversary of one of the great achievements of America and all mankind.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Madam President, I commend the Secretary from Texas for her commemoration of this spectacular day when Americas went to the Moon. One of them was a fellow named Buzz Aldrin, who lived in the town of Montclair, NJ, the town that I inhabited for many years.

Mrs. HUTCHISON. I thank the Senator from New Jersey because, of course, Buzz Aldrin is going to be at that commemoration tomorrow and has been one of the leaders in trying to make sure America does not flag in its enthusiasm and commitment to space exploration and all that it will bring us.

So I thank the Senator for remembering Buzz Aldrin as well because he was a great astronaut and one of the leaders still today for that very important mission.

Mr. LAUTENBERG. It looked as though it were a fairly simple mission. Now as we study it more thoroughly and realize what conditions were like there—the dust was threatening to the people, to the machinery, to the ship that took them there, to the spaceship that took them there—it was a remarkable event. I join the distinguished Senator from Texas in her tribute.

Mrs. HUTCHISON. I thank the Senator from New Jersey.

AMENDMENT NO. 1618

Mr. LAUTENBERG. Madam President, this past Friday, five policemen from a city in New Jersey, Jersey City, were shot by a single gunman. On the previous Wednesday, only a few hundred feet from the steps of this Senate, a gunman fired an assault weapon at Capitol policemen. Despite this point in time, after all of that mayhem last week, we have seen the prospect for more gun violence offered by the Senator from South Dakota.

He has offered an amendment that would gut State public safety laws and make it easier to carry concealed weapons across State lines, regardless of the laws of that State. Currently 48 States do allow some sort of concealed carried weapons. The standards vary from State to State based on each State's law enforcement needs and challenges. But under this new idea, this amendment would permit a concealed carry permit from one State to simply override the rules in other States. If I get a permit in State A, I can go to State B, C, D, any one I choose, with a weapon on my back, on my hip, wherever I want it. And I don't think it matters how many guns one carries.

Understand this thoroughly, that despite a State's laws on availability of concealed guns, Congress would override them. The State says no. Congress would say: No, we want the Federal Government to be able to tell you what to do. That is unusual, because I think the offeror of this amendment is more often a States rights person. But now he wishes Congress to override State laws and make one's own State follow this mandate. It would deprive one's State from making its own decisions on the issue. One's constituents would not be able to say they don't want this to happen. In fact, this amendment would allow some people to carry concealed assault weapons, multifiring, multishell firing weapons in States where those assault weapons are not even permitted.

The amendment before us is more about the right of States to make their own decisions about how they keep families in their States safe from gun violence. This amendment would allow almost anyone anywhere to carry a concealed firearm regardless of that State's law. Strangers coming into town carrying a hidden weapon have an open sesame opportunity to go anywhere they darn please—into town, into a school, into a sporting event, into a shopping mall, anywhere they wish to go regardless of what that State's laws are. Because under this amendment it is clear: If you have a license for a permit from a State in the Far West and you want to carry it to the eastern part of our country, you can do so. Just take away the public safety laws in that State and essentially erase the fact that they are now in the laws.

The amendment declares to State governments that they don't know how to take care of themselves. The gun lobby in Washington is the best place to go to find out what you should or can do. We can't tolerate such an insult.

Here are some of the State concealed weapon requirements that would be wiped out by the amendment. Eighteen States prohibit alcohol abusers from receiving carry permits, including South Dakota. Under the Thune amendment, these 18 States would have to allow alcohol abusers from other States to carry a weapon into their State. Twenty-four States prohibit those convicted of certain misdemeanor crimes, including Pennsylvania, which does not allow those convicted of impersonating a police officer, to carry concealed weapons. Under this amendment, those prohibitions would be violated. Nineteen States require those seeking concealed carry permits to complete gun safety programs. Under this amendment, those States would have to allow untrained, untested gun users from other States to carry concealed firearms. It is an outrage.

The proponents of this amendment claim they are respecting each State's concealed carry laws. That is simply not true. Not only does the Thune amendment override a State's concealed weapons law, it also overrides State laws restricting the type of guns that can be possessed in that State, such as assault weapons. Think about that; the type of guns that are restricted in the State, that rule would be obviated, and you would have to permit the licensed gun owner from a far different State to come in.

I have a letter from 400 mayors opposed to the Thune amendment. Over 400 mayors wrote to the Congress and said: Vote no on the Thune amendment, including 106 from Pennsylvania, 51 from Florida, 50 from Ohio, 13 from Wisconsin—the list goes on—from Louisiana, from Missouri, from South Carolina, from almost every State in the country that has its own gun laws. They have written and said: Don't do this.

As these mayors explained in their letter:

> Each state ought to have the ability to decide whether to accept concealed carry permits issued in other states.

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JULY 17, 2009.

Re: 400 mayors call on Congress to respect State autonomy and protect public safety by voting no on the Thune Concealed Carry Amendment.

Hon. NANCY PELOSI,
Office of the Speaker,
Washington, D.C.
Hon. HARRY REID,
Senate Majority Leader,
Washington, D.C.

DEAR SPEAKER PELOSI AND MAJORITY LEADER REID: As members of Mayors Against Illegal Guns, a bi-partisan coalition of more than 400 mayors representing more than 56 million Americans, we are writing to express our strong opposition to Congressional bills pushing for the Thune Concealed Carry Amendment. If passed, this legislation will infringe upon the ability of state and local governments to protect their citizens with sensible, constitutional, community-specific laws and regulations regarding the carrying of hidden handguns. It will empower gun traffickers, making it easier for them to transport the guns they sell to criminals without being apprehended by law enforcement. Finally, the bill threatens the safety of our police officers by making it far more difficult to distinguish between legal and illegal firearm possession.

The Mayors Against Illegal Guns coalition has long believed that the issue of concealed carry regulation is one best left to cities and states. Our coalition believes that what state officials, law enforcement and legislators decide are the best policies for rural areas may not be the best for big cities—and vice-versa.

It is very common for states to set standards for carrying guns on city streets that go beyond simply whether an applicant is able to pass a federal background check. Many states, including those with strong gun rights traditions, have enacted common sense concealed carry laws that prohibit carrying by persons regarded as unusually dangerous and criminals convicted of certain misdemeanors, or that require safety training for anyone who wants to carry concealed firearms. For example:

At least 31 states prohibit alcohol abusers from obtaining a concealed carry permit, including South Carolina, which prevents ''habitual drunkards'' from carrying guns.

At least 35 states prohibit persons convicted of certain misdemeanor crimes from carrying concealed firearms, including Pennsylvania, which bars carrying by those who have been convicted of impersonating a law enforcement officer and other misdemeanor offenses.

At least 31 states require the completion of a gun safety program prior to the issuance of a permit, including Nevada, which requires a 40-question written exam and live fire training from three different positions with a certified instructor as components of their required gun safety course.

This legislation would eviscerate all of these standards, moving concealed carry permitting to a new national lowest common denominator.

Each state ought to have the ability to decide whether to accept concealed carry permits issued in other states. 9 states have chosen to allow concealed carrying by all out-of-state permit holders. However, 12 states choose not to recognize any out-of-state permits. And 29 states recognize permits only from selected states—typically from states with equivalent or higher standards. Any of these options should be available—and it should be each state's choice to make.

This legislation will also aid and abet gun traffickers. In December 2008, Mayors Against Illegal Guns issued a first-of-its-kind report illustrating how traffickers already rely on states with weak laws as a source for the guns they sell illegally. In fact, the report showed that 30% of crime guns crossed state lines before they were recovered, meaning traffickers and straw purchasers often purchase guns in one state and then drive them to their destinations, often major cities hundreds of miles away. This bill would frustrate law enforcement by allowing criminal traffickers to travel to their rendezvous with loaded handguns in the glove compartment. Even more troubling is that a trafficker holding an out-of-state permit would be able to walk the streets of their city with a backpack full of loaded guns, enjoying impunity from police unless he or she was caught in the act of selling a firearm to another criminal.

Finally, this law would not only frustrate our police officers, it would endanger them. Policing our streets and confronting the risks inherent in even routine traffic stops is already perilous enough without increasing the number of guns that officers encounter. Ambiguity as to the legality of firearm possession could lead to confusion among police officers that could result in catastrophic incidences. Congress should be working to make the job of a police officer more safe—not less.

We urge every member of Congress who respects the prerogatives of local law enforcement, wishes to shield communities from gun trafficking, and strives to protect our nation's police officers to take immediate action to oppose and vote against this legislation.

Sincerely,

THOMAS M. MENINO,
Mayor of Boston, Coalition Co-Chair.
MICHAEL R. BLOOMBERG,
Mayor of New York City, Coalition Co-Chair.

Mr. LAUTENBERG. As the mayors make clear, the Thune amendment savages the rights of States to enact their own laws. Unfortunately, this dangerous amendment doesn't end there. It would unleash total havoc by suddenly letting dangerous and unstable people carry weapons into other States and across State lines. Supporters of this amendment claim that only ''law-abiding citizens'' get their hands on concealed weapons permits. That is not true. Over the 2-year period from May 2007 to April 2009, concealed carry permit holders killed seven law enforcement officers with guns. In fact, the Florida Sun Sentinel did an investigation of concealed carry permit holders in Florida and found that Florida granted concealed carry weapons to more than 1,400 people who pled guilty or no contest to a felony; 216 people with outstanding warrants were allowed to carry a gun; 120 people with active domestic violence injunctions; and 6 registered sex offenders.

I worked very hard some years ago—going back to 1996—to get a rule on issuing guns that would say to those convicted of misdemeanor spousal abuse should be unable to get guns. It was scoffed at by some who were here at that time who said: This isn't a gun matter. It is nothing too serious and why bother. I am pleased to tell the Senate that with Supreme Court affirmation about 6 months ago, saying that the law prohibiting gun permits to spousal abusers stood, 150,000 of these people were denied guns.

When I look at these things, it raises a question. While a State such as Florida works to correct these problems, should every other State be forced to allow felons, domestic abusers, and sex offenders to carry guns within their States? I don't want it in my State.

This is a reckless amendment that would force States from coast to coast to comply with the weakest conceal carry laws. A few months ago in Alabama, a person holding a concealed carry license went on a murderous rampage that lasted almost a full hour and spanned two communities. First he shot and killed his mother in Coffee County, AL. He then put on a vest loaded with firearms and ammunition, got into his car and drove into town. Once there he shot and murdered 10 innocent people—we can't forget that—including two young mothers, a father, and an 18-month-old child. It was later discovered that this killer had qualified and been issued a concealed weapons permit from the Coffee County sheriff's department.

A few weeks after Mr. Mclendon's murderous rampage in Alabama, there was a premeditated shooting spree in upstate New York. The gunman drove his car up to a citizenship services center in Binghamton, NY, barricaded the backdoor with his car, and then burst through the front entrance with two handguns and a bag full of ammunition. In what would become the worst mass shooting since the tragic assault at Virginia Tech, the assailant opened fire, killing one receptionist and wounding another.

He then entered a classroom where he sprayed gunfire, killing 12 more innocent people and wounding 7 others. The gunman then committed suicide. The killer was no stranger to guns. He was a firearms enthusiast and even though he had been convicted of a misdemeanor, he held a license to carry concealed weapons.

The day after the city of Binghamton was terrorized by a gunman, two police officers arrived at a house in Pittsburgh to quell a domestic conflict between a man and his mother. When the two officers entered, they were ambushed and killed. The assailant was carrying three firearms and wearing a bulletproof vest and murdered the policemen with an AK–47.

Minutes later, the gunman shot and killed a third officer who arrived at the scene. The attacker held the police at bay for 4 hours before surrendering. It was later learned the killer had been arrested for domestic abuse against his girlfriend but held a concealed weapons permit.

We have to face up to this. This amendment would let more brutal people carry concealed weapons legally—

and not just in their own town or in their own State but in other States and across State lines.

This amendment would also open the floodgates for gun trafficking. A gun dealer who sells firearms to criminals would be free to travel across the country with a car full of loaded weapons as long as the driver had a concealed weapons permit from some other State. The fact is, if the police were to discover the pile of guns in the trafficker's trunk, the police could do nothing about it.

The prospect of this scenario is no exaggeration. Last year, a report showed that one-third of firearms sold on the black market came from States with weak gun safety laws. The Thune amendment would simply exacerbate this problem and make it easier for gun traffickers to supply known criminals—including terrorists—with weapons.

The scourge of gun violence and gun deaths is a menace this Chamber must take seriously. Think about it. All of us here represent a State—all of us, two per State—and we are being told by one of our Members that what we ought to do is let the Federal Government decide how we care for our people: decide, the Federal Government, how safe our streets ought to be; decide, the Federal Government, to ignore or obviate laws we have on our books, and say: We are going to override your books. We know best what is good for you.

Well, those in other States—whether Illinois or San Francisco, CA, or Houston, TX—do not know better about what we ought to do in New Jersey than we do about them, and we should not allow this to take place.

Just look at the toll gun violence takes on our most innocent and defenseless in our country. Every single day, 8 children die because of gun violence, while another 48 kids are shot. They, however, manage to survive their gun injuries. Think about it: over 50 kids shot each and every day. It is a tragedy in America.

The Thune amendment would place our communities in danger in further danger than we already have. That is why law enforcement leaders—the very people who put their lives on the line to combat criminals and keep families safe—are against the Thune amendment. I have a letter from the International Association of Chiefs of Police opposing this amendment. As the letter explains, the police chiefs urge Congress to ''act quickly and take all necessary steps to defeat this dangerous and unacceptable legislation.'' The Association of Chiefs of Police—if anybody ought to know what is good for their communities, it should be the chiefs of police.

Madam President, I ask unanimous consent that this letter be printed in the RECORD directly following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LAUTENBERG. It is no wonder that when police departments are in charge of issuing concealed weapons permits, they are very conservative about whom they allow to have these permits. Nevertheless, the amendment from Senator THUNE would defer to the weakest—think this through—would defer to the weakest concealed permit laws. So now untrained, amateur gun owners will be free to carry a hidden firearm in other States and across State lines.

Do we want to completely disregard State law enforcement officers' decisions or do we want criminals wandering our streets with pistols in their backpacks or carrying them on their sides or do we want unstable drivers stuck in rush hour with guns in the front seats of their cars? I do not.

These are critical questions, and they should not be resolved by an amendment tacked onto a Defense authorization bill—defense. We have our soldiers, and the toll keeps rising in Afghanistan. By no means is Iraq a safe place to be. They should not have to be further jeopardized or have their health threatened. We see what conditions are like. We see the reports from the war front. This bill ought to be moved along just on the Defense authorization.

On Thursday, the Judiciary Committee is going to hold hearings on Senator THUNE's proposal. That hearing will give everyone a fair opportunity to get all the facts, hear from both sides of the issue, and learn from the testimony of experts. The hearing will include law enforcement officers testifying against this legislation. They deserve to have their voices heard. We should not shortcut the legislative process and the vital work of the Judiciary Committee.

Before I close, I wish to make one thing crystal clear: This amendment has nothing to do with individuals' rights to protect themselves in their own homes. A concealed weapons permit is a separate and special privilege that lets gun owners hide their firearms in a jacket or a bag as they travel in the community and go out in public. Whether they are riding in a bus or a car or walking down the street, they can have that weapon.

Why in our world is it necessary to make sure those who want to carry a concealed weapon can go anyplace they want with this weapon? You know what happens. We read about fights occurring in cafes all the time. To just allow people to come in there with weapons and see what happens after alcohol or too much celebration? Bad idea, and we should not allow it.

States and local communities must be allowed to choose who has earned this privilege, based on what is in the best interest of that particular State or community. Unfortunately, this amendment takes the power away from the local community, away from the State capitals, and leaves the decision about what is in the public interest to the gun lobby and the politicians here in town—lobbyists in many cases.

The Thune amendment poses extreme danger to our country, and it blatantly nullifies State laws and State rights in favor of a radical agenda. I strongly urge my colleagues to vote no on the Thune amendment.

I recently was traveling with my wife out West, and we were interested in seeing a particular baseball team play. We know the owners of the team. The hotel had a gun show.

By the way, I carried a gun. It was not concealed. I did it in a uniform during a war, and I loved that weapon. But it had a mission. It had a mission to kill somebody else before they killed me. That is not what we typically see with concealed weapons.

In this case, we were at this hotel gun show, and people were buying ammunition for their purpose. There was lots of activity. Lots of ammunition was being put in the back of cars. The State, though, in that case permitted it. There could not be any objection. The State decided what was best for its citizens and its communities, and they did just that. I do not agree with that, but I cannot object. If that State wants to do it that way, they are entitled to do it that way, and who am I, from the State of New Jersey, to tell them how they should conduct themselves in those moments? I have no right to do that.

So here we are. We are faced with an amendment that says nobody in the State knows what is better for their people than does the gun lobby, the NRA, the gun manufacturers. We disagree with that, and I hope we will show the American people we care enough about them and respect their intelligence—respect the fact they have their own structure in their States to take care of their needs as they see them. We do not want to see intruders carrying guns coming into those States—not mine, not yours, not anybody's—who do not pass the test that is required within that State's jurisdiction before they go around town with their weapons.

EXHIBIT 1

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE,
Alexandria, VA, July 17, 2009.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MAJORITY LEADER REID: On behalf of the International Association of Chiefs of Police (IACP), I am writing to express our strong opposition to S. 845, the Respecting States Rights and Concealed Carry Reciprocity Act of 2009. This bill would weaken existing state laws by allowing an individual to carry concealed firearms when visiting another state or the District of Columbia as long as the individual was entitled to carry concealed firearms pursuant to the laws of his or her home state.

It is the IACP's belief that S. 845 would severely undermine state concealed carry licensing systems by allowing out of state visitors to carry concealed firearms even if those visitors have not met the standards for

carrying a concealed weapon in the state they are visiting. For example, some states require a person to show that they know how to use a firearm or meet minimum training standards before obtaining a concealed carry license. These states would be forced to allow out of state visitors to carry concealed weapons even if they do not meet that state's concealed licensing standards.

It is the IACP's belief that states and localities should have the right to determine who is eligible to carry firearms in their communities. It is essential that state, local and tribal governments maintain the ability to legislate concealed carry laws that best fit the needs of their communities—private citizens as well as active and former law enforcement personnel.

The IACP urges you to act quickly and take all necessary steps to defeat this dangerous and unacceptable legislation.

Thank you for your attention to this matter. Please let me know how we can be of assistance.

Sincerely,

RUSSELL B. LAINE,
President.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1618

Mr. THUNE. Madam President, the business pending before the Senate is the amendment I have offered to the Defense authorization bill. I think it is close to nearing an agreement with both sides about a process for proceeding to have debate on this amendment and then perhaps, hopefully, a vote sometime as early as Wednesday of this week.

I think it is important to note for the record—because many have already or some at least have come down already and spoken on this amendment—that I had hoped to offer this amendment as a second-degree amendment to the hate crimes amendment that has been on the floor now for the past week. The Defense authorization bill was brought up early last week. Immediately, this hate crimes amendment was offered. It is a nongermane amendment. It is not relevant, obviously, to the underlying content of the bill.

The Defense bill sets priorities for our national security interests for the coming year. Yet the Democratic leadership chose to make the hate crimes amendment the first amendment to be debated and voted upon. When they did that, it had been my intention to offer as a second-degree amendment the concealed carry amendment, which is now the pending amendment before the Senate. It makes sense in a lot of ways, to me, to do that simply because one of the best ways to help prevent hate crimes against potential victims of hate crimes is to allow them to defend themselves. The concealed carry permit is something most States across the country have. What my amendment simply does is it allows those who have concealed carry permits in their own States to be able to move across State lines to other States that also allow concealed carry permits. Obviously, they also have to respect the laws of those individual States if there are restrictions on the exercise of that right.

I think it is important in the debate over hate crimes to point out that the victims of those crimes ought to have at their disposal as many ways of defending themselves as is possible. Frankly, there are lots of organizations that have come out in support of this amendment for that reason, because they believe if you want to prevent those types of violent crimes, those types of hate crimes from being committed in this country, one way to do that is to allow individuals who are the potential victims of those types of crimes to be able to have a concealed carry permit in order to deter a crime from being committed.

It is also important to point out that there are a number of arguments that have been raised against this amendment which just, frankly, are not true.

First of all, my amendment does not create a national concealed carry permit system or standard. My amendment does not allow individuals to conceal and carry within States that do not allow their own citizens to do so. My amendment does not allow citizens to circumvent their home State's concealed carry permit laws. If an individual is currently prohibited from possessing a firearm under Federal law, my amendment would continue to prohibit them from doing so. When an individual with a valid concealed carry permit from their home State travels to a State that allows their citizens to conceal and carry, the visitor must comply with the restrictions of the State they are in.

It has been suggested that somehow this preempts State laws. That is not the case. The restrictions an individual State imposes upon concealed carry laws that have been enacted by that State must be followed by any individual who has a concealed carry permit in their own State. In other words, the individual who travels to that State will be required to live under the laws that are on the books in that State.

But it does get at an issue which I think many have raised regarding people who travel across State lines all the time—truckdrivers, for instance, who on any given day take a cargo load from one State across several States in this country and want to be able to protect themselves as they do so. In many cases, they stay overnight in truckstops or pull over for a nap somewhere. Being able to possess a firearm that would enable them to have some level of self-protection and to deter crimes from being committed makes a lot of sense.

So the amendment is very straightforward and very simple. It is simply tailored to allow individuals to protect themselves while at the same time respecting States rights. So individual States can continue to enact restrictions on that, and every State has those. They may be place restrictions, and I think most States—I know my State of South Dakota has restrictions regarding courthouses, schools, and those sorts of places where there are restrictions against concealed carry. Many States have those types of laws which would apply to anyone who has a concealed carry permit in their own State of residence and moves into another State that also has a concealed carry permit law. So they would have to live under the laws of those States. So I want to make very clear what the amendment does and doesn't do.

I have heard it said here that somehow this is going to be used to circumvent or to preempt State laws. That certainly is not the case. But it does get at the heart of what is a constitutional right in this country. The second amendment of the Constitution allows people to keep and bear arms. That is a constitutional right, and it should not be infringed upon. Like I said before, an individual State can enact statutes that impose restrictions on that. That is something most States have, and every State treats the situation a little differently. But an individual should be able to exercise their second amendment constitutional right and be able to travel through individual States as long as they live by the laws of those States.

So that is essentially what the amendment does. It is very simple, very straightforward, and not particularly complicated, as I said. It certainly doesn't do many of the things that have been proposed here on the floor that it does. So I thought it was important to set the record straight.

Obviously, we will have a debate about this in the next couple of days. I think we will probably have a debate on the defense amendment here first, and then we will get to this particular issue. But I hope my colleagues, as they listen to that debate, will do their best to ferret out and to differentiate facts from myth and facts from fiction because there are a lot of statements that are being made that are not consistent with the facts, and the facts on this are very clear.

So I look forward to having the opportunity to make that case and to have this issue debated. As I said before, I had hoped to be able to offer this as a second-degree amendment to the hate crimes amendment because I think it fits very nicely there. As I said before, it ties in to the overall theme of protecting potential victims from hate crimes by allowing them to have a deterrent. Obviously, a concealed carry permit acts as a deterrent and has been proven over time, both in terms of the data you look at as well as a lot of anecdotal examples, to have the desired effect, which is to prevent many of these crimes from occurring in the first place.

Because the Democratic leadership filled the tree—in other words, precluded or prevented my offering a second-degree amendment to the hate crimes amendment—we are now offering it as a first-degree amendment and understand completely the importance of moving the Defense bill forward. So I think, on Wednesday, after we have had a certain amount of time to debate, we will bring it to a vote, and I hope my colleagues would support this. I think it is an amendment that has broad bipartisan support. I already have 22 or 23 cosponsors on this amendment from both sides of the aisle, and I hope that number grows because it is common sense. It has been very effective in many States across the country.

We want to use as many tools as we can to deter crime, particularly violent crimes that are committed against individuals in this country. It seems to me it makes sense in having a concealed carry permit law that allows an individual who has a valid concealed carry permit in their individual State of residence an opportunity to move freely across this country and to have that constitutional right protected.

With that, Madam President, I yield the balance of my time and look forward in the next day or two, as this issue is debated further, to having a discussion with my colleagues here in the Senate in hopes that we can get this amendment enacted on this bill. So I hope my colleagues will vote for it when the time comes.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I just want to say how much I appreciate the Senator's efforts. It is consistent with the retired law enforcement officers bill we passed, as I recall, not long ago that allowed them to carry their weapons in other States under certain circumstances. When people are traveling, they many times feel more vulnerable and they feel a greater need to protect themselves.

I think it is a sound and reasonable approach—limited but important—and I thank Senator THUNE for offering that amendment.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, notwithstanding the order of July 16, 2009, I ask unanimous consent that the Levin-McCain F–22 amendment be considered on Tuesday, July 21, beginning immediately after the opening of the Senate on that day and extending for up to 2 hours, and the vote on the amendment occur upon the use or yielding back of time, as provided for under the previous order which established the parameters of considering the amendment, with the other provisions of the July 16 order governing consideration of the Levin-McCain F–22 amendment remaining in effect; further, that on Wednesday, July 22, at 9:30 a.m., after opening of the Senate, the Senate then resume consideration of S. 1390 and the Thune amendment No. 1618, with the time until 12 noon for debate with respect to amendment No. 1618, and the time equally divided and controlled between Senators THUNE and DURBIN or their designees, with no amendments in order to the Thune amendment during its pendency; that adoption of the Thune amendment requires an affirmative 60-vote threshold; further, that if the amendment achieves that threshold, then it be agreed to and the motion to reconsider be laid upon the table; that if it does not achieve that threshold, then it be withdrawn; that at 12 noon, the Senate proceed to vote in relation to the amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Madam President, for the information of the Senate, on Tuesday the Senate will convene at 10 a.m.; therefore, the vote on the Levin-McCain amendment is expected to occur around 12 noon. That is expected to be the first vote of the day.

Mr. SESSIONS. Madam President, we have been busy in the Judiciary Committee with the Sotomayor hearing. I have not been able to participate in the debate over the hate crimes legislation. I want to follow up a little bit more on what I said earlier today. I have an obligation to assert a principle that I think is important in Federal criminal law.

I was a Federal prosecutor for 15 years and was very familiar with the jurisdiction issues that are involved in Federal criminal law. We need to do this right. I do not think we have done that right.

The bill has basically been made a part of this Defense bill already, so in one sense I guess the die is cast, but I will share a few thoughts.

To repeat briefly, I will quote from the letter from six, I believe, of the eight members of the U.S. Commission on Civil Rights that was received June 16, was sent to the President and members of the Judiciary Committee. They said:

> We believe the MSHCPA—

That is the so-called hate crimes legislation, this is their opinion, six of the eight members—

> will do little good and a great deal of harm. Provisions in the bill ''are very much a violation of the spirit that drove the framers of the Bill of Rights, who never dreamed that federal criminal jurisdiction would be expanded to the point where an astonishing proportion of crimes are now both state and federal offenses. We regard the broad federalization of crime as a menace to civil liberties. There is no better place to draw the line on that process than with a bill that purports to protect civil rights.

In other words, this is an official commission of the U.S. Government, appointed by Presidents, and that is what they sent to us.

Gail Heriot, who is a member of the commission, testified at our judiciary hearing a couple of weeks ago. She testified that:

> The proposed hate crimes legislation, which is being touted as a response to murders, should not have been treated as a mere photo opportunity. It is real legislation with real world consequences—and not all of them are good. A close examination of its consequences, especially its consequences for federalism and double jeopardy protections, is therefore in order.
>
> Given the many civil liberties issues that would raise, including the routine potential for double jeopardy prosecutions, this is a step that members of the Senate should think twice before they take.

Bob Knight, a senior fellow—I guess I am going to show some members, liberal lawyers and conservative advocates, also sharing concern over this legislation. I hope my colleagues have not treated these concerns too lightly.

It is hard to vote against legislation that purports to fight hate. You do not want to be somebody defending hate crimes. I certainly do not. Neither do these good people who have expressed their concern.

Bob Knight, a senior fellow at the American Civil Rights Union, said this:

> The proposed law, whatever its sponsors' good intentions, is a grave threat to the constitutional guarantee of equal protection under the law. America's legal heritage of judging actions rather than thoughts or beliefs, and it will politicize law enforcement by making some crime victims' cases more important than others.
>
> Beyond the obvious unfairness of excluding some groups from enhanced protections, such as the elderly, homeless, veterans and children—

They are not given enhanced protections of the hate crimes bill—

> the proposed law advances an underlying ambitious agenda to punish individuals and groups that hold traditional values.

This law:

> . . . lays the groundwork for the concept of ''thought crime,'' in which someone's views or beliefs are criminalized. Violent acts are already illegal and punished under criminal law. This law adds penalties based on thought. In order to prove that the defendant holds particular beliefs that motivated a criminal act, his or her speech, writing, reading materials and organizational memberships would become key evidence.

Brian Walsh, a senior fellow at the conservative Heritage Foundation, says this:

> The criminal justice system is in great need of principled reform . . . this reform should not be driven by some partisan politics. Unfortunately, the HCPA fails to measure up to this standard and would substantially undermine constitutional federalism and the high regard in which the American public should hold Federal criminal law.

The three main problems with this amendment are that:

> . . . the Act's new ''hate crimes'' offenses are far broader and more amorphous than any properly defined criminal offense should be—

I agree with that, parenthetically. He goes on to say:

> —and they thus invite prosecutorial abuse, politically motivated prosecutions, and related injustices. The Act's ''hate crimes'' offenses violate constitutional federalism by asserting Federal law-enforcement power to police truly local conduct over which the Constitution has reserved sole authority to the 50 states. The Act's ''hate crimes'' offenses would be counterproductive, for nearly all States have—tough ''hate crimes'' laws

and the violent conduct underlying the Act's ''hate crimes'' offenses has always been criminalized in all 50 states.

Nat Hentoff is a famous civil rights and libertarian attorney, a writer well known in the country as being a passionate advocate for civil liberties from an objective, I would say, point of view. He has respect from both conservatives and liberals, but I guess his background has mostly been on a more liberal approach to law.

He starts off saying:

Why is the press remaining mostly silent about the so-called ''hate crimes law'' that passed the House on April 29? The Local Law Enforcement Hate Crime Prevention Act passed in a 249–175 vote—17 Republicans joined with 231 Democrats. These Democrats should have been tested on their knowledge of the First Amendment, equal protection of the laws . . . and the prohibition of double jeopardy. . . . No American can be prosecuted twice for the same crime or offense. If they had been, they would have known that this proposal, now headed for a Senate vote—violates all these constitutional provisions.

This bill would make it a federal crime to willfully cause bodily injury—or try to—because of the victim's actual or perceived ''race, color, religion, national origin, gender, sexual orientation, gender identity or disability''—as explained on the White House Web Site, signaling the president's approval. A defendant convicted on these grounds would be charged with a ''hate crime'' in addition to the original crime and would get extra prison time.

The extra punishment applies only to these ''protected classes.''

He quotes a Denver, CO criminal defense lawyer:

As Denver criminal defense lawyer Robert J. Corry Jr. asked . . . ''Isn't every criminal act that harms a person a hate crime?'' Then, regarding a Colorado ''hate crime'' law, one of 45 such state laws, Corry wrote:

''When a Colorado gang engaged in an initiation ritual specifically seeking out a 'white woman' to rape, the Boulder prosecutor declined to pursue ''hate crime'' charges. She was not enough of one of its protected classes.''

Corry adds that the State ''hate crime'' law—like the newly expanded House of Representatives Federal bill—''does not apply equally,'' as the 14th amendment requires, essentially instead:

''Criminalizing only politically incorrect thoughts directed against politically incorrect victim categories.''

Hentoff concluded:

Whether you're Republican or Democrat, think hard about what Corry adds:

''A government powerful enough to pick and choose which thoughts to prosecute is a government too powerful.''

David Rittgers of the CATO Institute, a libertarian group, said this:

The Federal hate crimes being considered in the Senate undermines the rule of law and shows casual disregard, if not outright hostility, for the principles of limited government and equality under the law. The bill Federalizes violent acts against victims by reason of their actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability.

Never mind that these acts are already prosecuted by the states—45 of which have their own hate crime laws—and that violent crimes of this nature are universally perceived as an affront to justice. Matthew Shepard, a gay man brutally killed in Wyoming, has provided one of the rallying cries for passage of this legislation. His killers both received two consecutive life sentences from a state court. James Byrd, Jr., the African-American man dragged to death behind a truck in Texas, is cited as another reason to pass the law. His killers received death sentences or life imprisonment.

The federal government would also be authorized to prosecute whenever ''the verdict or sentence obtained pursuant to State charges left demonstratively unvindicated the Federal interest in eradicating bias-related violence.'' While this doesn't violate the letter of the Supreme Court's double jeopardy jurisprudence—the federal and state governments are considered separate sovereigns—it certainly violates its spirit.

The National Religious Broadcasters write they are opposed to the concept as well as the current legislative permutations of the so-called ''hate crimes.'' This legislation takes any conduct that is viewed as a threat to homosexuals or bisexuals or a threat to persons who want to immunize their religion from public debate and turns that threat or perceived threat into a species of criminal felony. As a consequence, this legislation will inevitably stifle the free exercise of religion and freedom of speech, and brings with it the very real likelihood of abusive prosecutions. Federal ''hate crimes'' laws also ignore the fact that the underlying core offense, the causing of bodily injury to another, is already criminalized in all 50 states.

The Research Council says this:

Hate crimes laws force the courts to guess the thoughts and beliefs which lie behind a crime, instead of looking at the crime itself.

The Family Research Council believes that all crimes should be prosecuted to the fullest extent of the law, and that every violent crime has some form of hate behind it. All around the country, crimes are being prosecuted in the State justice systems. American justice is being done. There is simply no need for a Federal hate crimes law.

Violent attacks upon people or property are already illegal, regardless of the motive behind them. With hate crime laws, however, people are essentially given one penalty for the action they engage in and an additional penalty for the particular and highly selective attitudes and thoughts that motivated these actions.

Motive-based analysis and intent-based analysis are not the same thing. For example, with the crime of manslaughter, intent-based analysis looks at whether the perpetrator intended the result. Hate crime legislation takes into account what the offender thinks, feels, or believes about the victim regardless of whether the perpetrator intended the result. This is why hate crimes may be referred to as ''thought crimes.''

The Traditional Values Coalition says:

The so-called hate crimes bill will be used to lay the legal foundation and framework to investigate and prosecute and persecute pastors, business owners, Bible teachers, Sunday School teachers, youth leaders, Christian counselors, religious broadcasters, and anyone else whose actions are based upon and reflect the truths found in the Bible, which have been protected by the first amendment.

That is not accurate? Well, they are concerned about that. And they object to the legislation.

The Concerned Women for America note that:

The legislation would violate genuine constitutional rights in an attempt to address a nonissue, create a caste system of victims, violate the spirit of the Double Jeopardy Clause of the Constitution, and unintentionally extend privileges to individuals who engage in illegal sexual acts even against children.

I would share those thoughts and say that this is why this legislation has been controversial. The predicate for this legislation is the interstate commerce tag that is very weak. The Supreme Court has already found several Federal statues do not have sufficient interstate nexus to justify prosecuting a crime in Federal court.

I would say if a few people walk out in the pasture and one finds a rock and murders a person, as a Federal prosecutor for 15 years I will tell you, there is no jurisdiction federally to try and prosecute that case. It is a criminal case in the State court only. And to make it a Federal case, you have to have some sort of peg to hang your hat on, so to speak.

In that case, I do not think there is any. But if you are on a railroad train and you are traveling and you are in interstate commerce, you murder someone, that can be a Federal crime. If you steal from an interstate shipment, that can be a Federal crime. If you murder a postman, that is a Federal crime—or a Federal civil servant, and so forth. Those are Federal crimes. But normal murder, rape, robbery, theft, that occur by the tens of thousands every day all over America are not Federal crimes. They are not prosecutable in Federal court.

The very small number of FBI agents, compared to the massive numbers of police and sheriffs, deputies, and State law enforcement officers is such that there is no way they can ever begin to prosecute or investigate these crimes. They have to focus on those crimes that are uniquely Federal, vindicate a uniquely Federal interest.

With regard to the Civil Rights Act that was passed in the 1960s, it has some similarities, although it is more tightly written.

I will conclude with these thoughts: There was a demonstrable record of failure to prosecute violations of civil rights against African Americans in the South, sad to say, and in other places in this country. It appeared that local law enforcement was ineffective, sometimes unwilling, to vindicate those rights, and so the Civil Rights Act said: If you are going to school or a legal activity at the city or county or Federal Government or voting and you are interfered with, that can be a Federal offense.

There was a clear record to justify the need for Federal involvement in those cases. And most of those cases, I think virtually all, have been upheld as being sufficiently tied to interstate commerce to be a legitimate Federal crime to prosecute.

We asked the Attorney General at a hearing recently, can he name any cases? He did not name a single one. But he said in his statement there were four. After the hearing we submitted questions to the Attorney General: Did he have any cases to show that these prosecutions are not being effectively prosecuted locally?

He stood by the four. That is all we ever got over a period, I think, of 5 years. At least that is what I asked him for. And the four cases were very insubstantial. In each one of the four cases prosecutions were initiated. I think in all but one convictions were obtained.

Some people were not happy with the results of the case, and they would have liked the Federal Government to take it over and prosecute it again. But as I said, there are tens of thousands of cases prosecuted every day, and many victims in those cases felt that the outcome of the case was not sufficient. They would like also for the Federal Government to prosecute it again. But they might not have been in these ''special classes'' that got this ''special benefit'' in this bill.

Do you see then what it is all about? It is basically saying that the Federal Government sits up and hovers above the criminal justice system, and it can decide whenever, based on the length of the chancellor's foot, I suppose, when a case has not effectively resulted in justice.

They said in their answer, they want to make sure that there is justice every time. That is a pretty high goal, I have got to tell you, especially when people might not agree. Juries make decisions. I hope we in this Congress will understand the huge responsibility we have to the historic concept that crimes of a local nature should be prosecuted locally, and that the Federal Government does not need to be involved in everything to try to ensure perfect justice.

Indeed, it is not involved in every case and it never has been. It should not be. I wanted to make these quotes a part of the RECORD, and call on the Members of the Senate as we go forward in the future to make sure that the legislation we pass is consistent with our heritage, which understands that the Federal Government does not have a general criminal power, has only narrow limited enumerated power to make crimes Federal, and we ought not overreach and create a situation in which, according to the U.S. Civil Rights Commission in their letter to us: Every single rape would be a Federal crime because the action would have been carried out as a result of the gender of the person being assaulted.

Ms. Heriot said she had talked with the Department of Justice in previous years about this, before she was on the Commission, and they refused to narrow the language because they wanted that broader language.

I think that is too broad. This bill is too amorphous and too broad and should not become law.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HAGAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

Mrs. HAGAN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mrs. HAGAN pertaining to the introduction of S. 1473 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. LEAHY. Mr. President, it reflects well upon this body that the Senate late last week voted to include the Matthew Shepard Hate Crimes Prevention Act of 2009 as an amendment to the Defense authorization bill with a strong bipartisan vote. This important legislation has also passed the Senate in 2007, 2004, 2000, and 1999. I am hopeful and optimistic that this time it will make it to the President's desk and be signed into law.

This legislation will help to address the serious and growing problem of hate crimes. The recent tragic events at the Holocaust Museum, on top of many other recent hateful and devastating acts, have made clear that these vicious crimes continue to haunt our country. This bipartisan bill is carefully designed to help law enforcement most effectively respond to this problem. It has been stalled for far too long. The Senate's action last week was the right step and long overdue.

I thank Senator COLLINS, Senator SNOWE, and the other bipartisan cosponsors for their support. I particularly thank Senator TED KENNEDY, for whom this important civil rights measure has long been a priority, and I commend him for his steadfast leadership over the last decade in working to expand our Federal hate crimes laws.

I wish he could have been here for the vote on Thursday, but I know he was proud of what the Senate did. I thank the many staff members who helped with this effort—Roscoe Jones, Joe Thomas, Elise Burditt, Leila George-Wheeler, Matt Smith, Noah Bookbinder, Kristine Lucius, and Bruce Cohen on my staff—as well as the staff for Senator KENNEDY—Christine Leonard and Ty Cobb—who worked so hard on this legislation.

I appreciate that Republicans were willing to come to an agreement to let this hate crimes amendment move forward. As part of that agreement, today we vote on several additional related amendments from Senator SESSIONS.

Senator SESSIONS proposed an amendment creating a new criminal statute for attacks against U.S. servicemembers. While servicemembers are already appropriately covered by strong legal protections, I agree with the purpose of this amendment, and I appreciate Senator SESSIONS' willingness to work with us to improve it. I will support this amendment.

Senator SESSIONS was also willing to work with us on another amendment of his which would require that all hate crimes prosecutions be undertaken pursuant to guidelines promulgated by the Attorney General. With the improvements that we worked out, I am happy to support this amendment as well.

Finally, Senator SESSIONS proposed an amendment to apply the death penalty to a broad swath of hate crimes. This amendment, as offered, would have applied the death penalty even to cases involving offenses like attempted kidnapping where there was no intent to kill any person. Such a broad application would have clearly violated the Constitution as set out in ruling Supreme Court precedent.

With regard to the death penalty, the Supreme Court recently held that, ''As it relates to crimes against individuals, . . . the death penalty should not be expanded to instances where the victim's life was not taken.''

Whether or not Senators agree with that sentiment, we should not purposefully pass legislation that we know to be unconstitutional. As a result of my criticism, I understand that Senator SESSIONS will be modifying his amendment, and I appreciate that.

Adding an expansive death penalty provision to hate crime statutes would also add new costs to enforcement since death penalty cases are consistently far more expensive and difficult for the government to litigate. Those increased costs could reduce the number of important hate crime investigations and prosecutions the government could conduct.

We should be facilitating more hate crime investigations and prosecutions, not restricting the number the government can bring. I should also note that many proponents of hate crimes legislation, particularly in the House, as well as other influential House Members, strongly oppose the death penalty.

The Leadership Conference on Civil Rights has written us to oppose this death penalty amendment, and I know several of my fellow Senators share my concerns with this amendment.

Senator KENNEDY has proposed a further amendment which would add important guidelines about when the death penalty could be used. I support this commonsense measure.

I hope all Senators will join me in doing everything we can to ensure that effective, meaningful hate crimes legislation can be signed into law this summer.

Mr. NELSON of Nebraska. Mr. President, I come to the floor to express my disappointment that the Senate failed to take advantage of an opportunity to debunk a false argument against the Matthew Shephard Hate Crimes Prevention Act. If it were up to me, the debate never would have gone in this direction, but since it has I have tried to do my best to address the concern—though I believe it to be unfounded—that this legislation protects ''pedophiles.''

Some, including some constituents of mine in Nebraska, are concerned that a term used in this legislation, ''sexual orientation,'' could be interpreted as including ''pedophiles.'' This is obviously not the intent of the bill, nor is it possible that any of the categories protected by the bill could be read to include pedophiles. In short, nothing in this legislation is intended, nor can it be construed, to protect pedophiles.

The Attorney General, the chief law enforcement officer in the United States, has rejected the argument that this bill covers pedophiles. In fact, the ranking member of the Judiciary Committee, Senator SESSIONS, explicitly asked Attorney General Eric E. Holder a question for the record of the Judiciary Committee's hearing on this bill, which makes clear that the bill, as written, could not possibly be read to include pedophiles. As the Attorney General stated:

> Proposed U.S.C. § 249(a)(2) would cover violent crimes motivated by bias against the ''actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person.'' This legislation would only cover groups falling under these categories. The Department [of Justice] does not believe that any group falling under these categories should be excluded. The Department does not believe that any of the listed categories could possibly be read to include pedophiles, and therefore we do not believe an amendment to exclude pedophiles is necessary.

Despite this assurance, my colleague from South Carolina offered just such an amendment, and I signed on as a cosponsor to express sensitivity to the concern he raises, even though I do not believe this legislation protects pedophiles in any way.

Existing Federal law, codified at 28 U.S.C § 534 defines sexual orientation as consensual homosexuality or heterosexuality. A similar definition can be found in any dictionary of the English language. That and nothing more is what we are addressing in this bill.

I might add that in my view to claim that this law could somehow be used to protect pedophiles shows a lack of confidence in and respect for local law enforcement, and the groups, such as the International Association of Chiefs of Police, the National Sheriffs Association, and the National District Attorneys Association, which are strongly supporting this bill and asking us to pass this legislation to help them do their jobs in investigating and prosecuting these heinous crimes.

In order for the hate crimes law to be used in the manner some groups claim it could, a chief of police or local sheriff would have to decide, in conjunction with the county attorney or district attorney, that it was in their best interest and the best interest of the community to bring such a prosecution, in contravention of existing Federal laws that protect children from predators. Federal law enforcement, which serves as a backstop to local efforts under this bill, would also not use the law in this way because the Department of Justice has already stated their policy that this legislation does not protect pedophiles. As I quoted above, the Attorney General, the Nation's top law enforcement official, made the Department's policy crystal clear in Congressional testimony: ''the Department does not believe that any of the listed categories could possibly be read to include pedophiles.''

We can have an honest debate about this bill. I have heard several arguments of reasons why this bill should be opposed, and I appreciate and respect the concerns which underlie those arguments. However, I feel the need to reaffirm that in no way is this bill intended to, or can be construed as, protecting pedophiles.

Mr. REID. Mr. President, I ask unanimous consent that the July 15, 2009, letter from Attorney General Holder to Senator MCCONNELL and myself be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, DC, July 15, 2009.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SENATORS REID AND MCCONNELL: I understand that S. 909, the Matthew Shepard Hate Crimes Prevention Act, is now before the Senate in the form of an amendment to pending legislation. On behalf of the Administration, I strongly urge the Senate to approve this vital legislation.

As I stated in testimony before the Senate Judiciary Committee on June 25, hate crimes victimize not only individuals, but entire communities. Perpetrators of hate crimes seek to deny the humanity we all share, regardless of the color of our skin, the God to whom we pray, or whom we choose to love.

Bias-motivated acts of violence divide our communities, intimidate our most vulnerable citizens, and damage our collective spirit. The FBI reported 7,624 hate crime incidents in 2007, the latest year for which the FBI has compiled such data. Recent numbers also suggest that hate crimes against certain groups, such as individuals of Hispanic national origin, are on the rise. Between 1998 and 2007, more than 77,000 hate crime incidents were reported to the FBI. That is nearly one hate crime every hour of every day over the span of a decade.

Most hate crimes in the United States are investigated and prosecuted by our partners in state, local, and tribal law enforcement, and this legislation will not change that reality. Rather, this bill will give law enforcement authorities at all levels the tools they need to effectively investigate, prosecute and deter bias-motivated violence. First, it will enable the Department of Justice to provide our non-federal partners with technical, forensic, prosecutorial, and financial assistance to bolster their hate crimes enforcement efforts. Second, it will eliminate the antiquated and burdensome requirement under existing Federal law that prosecutors prove that a hate crime was motivated by a victim's participation in one of six enumerated federally protected activities. Third, it will expand coverage beyond violent acts motivated by actual or perceived race, color, religion, or national origin to those motivated by actual or perceived gender, disability, sexual orientation and gender identity.

Although local law enforcement agencies will continue to play the primary role in the investigation and prosecution of hate crimes, federal jurisdiction is a necessary backstop. Federal resources may be better suited to address crimes involving multiple jurisdictions, and there may be times when local authorities request Federal involvement.

There also may be rare circumstances in which local officials are unable or unwilling to bring appropriate charges, or when prosecutions, even when successful, do not fully serve the interests of justice. At the same time, there are safeguards, both in the legislation and in the Department's internal policies, to ensure that crimes will be prosecuted at the Federal level only when necessary to achieve justice in a particular case.

Some have raised concerns that Congress lacks the constitutional authority to enact this legislation, as well as concerns that it could infringe on First Amendment rights. The Department addressed these issues at length in a June 23, 2009, views letter to Senator Edward Kennedy. As we explain in that letter, the legislation is constitutional and would not infringe on First Amendment rights because it would criminalize no speech or association, but only bias-motivated violent acts resulting in bodily injury (or attempts to commit such violent acts). Finally, the legislation is carefully tailored to address violence targeting members of communities that have suffered a long history of bias and prejudice.

This Administration strongly supports S. 909, the Matthew Shepard Hate Crimes Prevention Act, and I urge its passage without further delay. Now is the time to provide justice to victims of bias-motivated violence and to redouble our efforts to protect our communities from heinous acts of violence based on bigotry and prejudice.

Sincerely,

ERIC H. HOLDER, Jr.,
Attorney General.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mrs. HAGAN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR COURT OF IMPEACHMENT

Mr. REID. Mr. President, I ask unanimous consent that the Senate convene as a court of impeachment in the trial of Samuel B. Kent on Wednesday, July 22, 2009, and the Secretary of the Senate inform the House of Representatives that the Senate will at that time receive the honorable managers on the part of the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOON LANDING AND HEALTH CARE

Mr. REID. Mr. President, when Neil Armstrong and Buzz Aldrin became the first humans to touch the Moon, our Nation rejoiced not just because we were launching a new era of exploration and technology. When the Apollo 11 crew touched down in the Sea of Tranquility, our country cheered more than just a stunning success for science.

When 40 years ago tonight, man first set foot on another world, we celebrated the fact that those first men were Americans.

On the evening of July 20, 1969, millions of Americans watched with Walter Cronkite, who passed away just 3 days ago. As Armstrong leaped off the ladder, the anchorman took care to note that the astronaut was a ''38-year-old American.'' Because he was an American—a boy scout from Ohio and a pilot in our Navy—we all were proud.

We were proud that an American vehicle was the first manned spacecraft to make it to the Moon's surface, that an American's footprint was the first to be pressed upon it, and that our American flag was the first to be planted within it. America was moving mankind forward, and we were proud to be leaders.

But the story of the journey we celebrate today did not begin on the breathtaking night when the Eagle landed.

It began years before: in the imaginations of Americans everywhere, in laboratories and hangars in Florida and Texas, and in a stadium in Houston where President Kennedy told us that we will choose to reach the Moon within the decade and do other great things, ''not because they are easy, but because they are hard . . . because that challenge is one that we are willing to accept, one we are unwilling to postpone.''

We now must be willing to accept today's challenges. We must be willing to accept the challenge of making it easier to live a healthy life in America. We must be unwilling to postpone our responsibility to fix what is broken.

We now have a chance to be proud once again. We have the chance to lead once again, and for our entire Nation to again achieve dramatic goals, like making health care more affordable, more stable and more secure.

America is the last major industrialized nation on the planet that refuses to ensure all of its citizens can get health care. In the greatest country and the largest economy the world has ever seen, hardworking Americans live in fear as they live one accident, one illness, or one pink slip away from losing their health coverage.

How much longer can the country that led the way to space be content to stay in last place? How much longer can we sit this one out? How much longer can we say no?

Our health care system is not healthy. The cost of doing nothing is too high, and not acting is not an option.

The story of the Moon landing did not begin with that one small step for a man, and it did not end there either. President Reagan credited our willingness to reach for new heights with helping our country ''recapture its spirit of vitality and confidence.'' He pointed to the space program as proof that ''the pioneer spirit still flourishes in America.''

Today that spirit must prevail over partisan passions. If we confront this crisis together, we can once again restore the vitality and confidence of America, and of all Americans.

Forty years ago, no political party had a monopoly on the lunar landing. A conservative who looked to the heavens took no less pride in our achievement than did a liberal. It was not a Republican accomplishment or a Democratic accomplishment. It was an American accomplishment.

As we said at the beginning of this year, our strong preference is to fix health care as one collaborative Congress, not as two competing parties. As we have said throughout this debate, we will continue to work with the other side in good faith and we want to pass a bipartisan bill.

I remain optimistic that both Republicans and Democrats recognize how urgent this is. The health of our citizens and our economy are at stake, and neither will be able to recover if we are unwilling to accept this challenge.

When we make it easier for people to stay healthy—when we make it easier for people to afford to care for their loved ones—when we choose to do what is right, what is necessary and what is overdue—not because it is easy, but because it is hard—we will once again proudly rejoice together, as Americans.

VETERANS VOTING SUPPORT ACT

Mr. LEAHY. Mr. President, I am pleased today to join with Senators Feinstein and Kerr and others to reintroduce the Veterans Voting Support Act. This legislation will enable the Nation to better preserve and protect the fundamental right to vote for veterans in facilities operated by the Department of Veterans Affairs. Our men and women in uniform have risked their lives to serve our country and spread democracy around the globe. We must do all we can to protect their right to participate in the democratic process when they return home.

When we introduced this legislation last Congress, I had hoped that it could be signed into law before last year's historic election. Millions of Americans went to the polls last November and yet far too many of our wounded warriors were left behind. That is wrong, and I hope the Senate will consider this important legislation to remedy the disenfranchisement of our disabled veterans. Senators FEINSTEIN and KERRY, the respective Chairpersons of the Rules and Foreign Relations Committees, have been leaders on this important issue.

Today, veterans of the armed services who reside in a VA facilities face a voting rights crisis. Far too often in recent years, the Department of Veterans Affairs has neglected to assist veterans with voting, or to allow nonpartisan groups access to VA facilities to register voters. Until last year, for example, the VA's national policy was silent on whether it could provide support to wounded warriors seeking to vote. There have also been reports that the Department of Veterans Affairs may have even prohibited its own staff from providing voter assistance to veterans in VA hospitals. In addition, since 2004, reports indicate that the VA has often sided in Federal court against allowing nonprofit voter registration organizations access to VA run facilities.

I welcome the recent strides the Department of Veterans Affairs has made to correct its flawed policies, but it has not gone far enough. I am glad that last year, the Department changed its policy from a blanket prohibition against voter registration efforts to one that would permit its patients to register to vote. That change, however, was only a first step. We need legislative action to ensure that these changes are permanent and complete. For example, I remain concerned that the VA's voter registration policy stops short of mandating that VA facilities offer disabled veterans a chance to register to vote. To paraphrase Paul Sullivan, the Executive Director of Veterans for Common Sense, the new policy directive only changed the Department from being in active opposition to veterans' voter registration to passively supporting it. It is common sense that the Department of Veteran Affairs should make services available to wounded veterans who reside in VA facilities and yet face hardships in traveling off campus to register to vote. This legislation will ensure that VA facilities have an affirmative duty to provide our wounded warriors with access to, and assistance with, voter registration materials in the same way they help veterans fill out other forms.

The Veterans Voting Support Act we introduce today would also require the Department of Veterans Affairs to provide voter registration forms to veterans whenever they enroll in, or make changes to, their status under the VA

health care system. It would also require the VA to provide assistance to veterans who wish to file absentee ballots. In addition, the bill would require facilities to allow access for nonpartisan voter assistance organizations, subject to reasonable time, place, and manner restrictions. To ensure accountability and transparency, the bill also provides certain reporting requirements on the Department of Veteran Affairs. This legislation has the support of voting rights and veterans groups, including the Brennan Center for Justice and Veterans for Common Sense.

I believe it is essential for the Nation to do everything possible to honor our veterans. Ongoing wars in Iraq and Afghanistan, as well as interventions across the globe, means more and more men and women are coming home as veterans. These brave men and women must know that the country will honor their sacrifice when they return. Recognizing their service not only means paying continual tribute through services on such holidays as Memorial Day and Veterans Day. It also means ensuring that our veterans in Vermont and across the country have the ability to fully participate in the democratic process. This is not a Republican or Democrat issue it is an American issue. We should all be able to agree that Americans who have ventured into harm's way to defend our values and spread democracy abroad must also have full enjoyment of those freedoms here at home.

The disabled veterans of the Nation have given extraordinary service to our country and have advanced democracy around the globe. Enactment of the Veterans Voting Support Act is the very least we owe our citizen soldiers for their many sacrifices on our behalf. I urge all Senators to support the Veterans Voting Support Act and help us to enact this critical measure into law before next November's midterm elections.

COMMENDING SENATOR COLEMAN

Mr. BUNNING. Mr. President, today I pay tribute to my distinguished colleague from Minnesota, Senator Norm Coleman.

I worked with Senator Coleman since 2002 when he was elected U.S. Senator of Minnesota. Norm is a man of integrity and patriotism. He has dedicated most of his adult life to serve the people of Minnesota. While he served in the Minnesota Attorney General's Office for a large portion of his career and eventually became solicitor general, he is highly praised in the city of St. Paul for his successes as mayor. His vision and execution to revitalize the city of St. Paul became a benchmark for success in local governing. Because of his accomplishments as mayor, he gained higher approval ratings in Minnesota than most politicians in Washington ever receive in their entire careers.

During his tenure as U.S. Senator, Norm was a leader in strengthening our homeland security and national defense. He consistently supported and sponsored measures that provide our troops with the important tools they need to defend our freedoms overseas and fought to make sure they receive the proper care and services as they return home. Additionally, Norm remained a strong voice for alternative fuels and energy independence. The Commonwealth of Kentucky and I are thankful for his diligence in promoting clean energy.

He always fought for what he believes is best for Minnesotans and for America. While we are sad to see him go here in the Senate, we are grateful for his contributions. I am honored to know him and to have worked with him. I wish his wife Laurie, his children, Jake and Sarah, and him the best in all of their future endeavors.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 1:41 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 129. An act to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California.

H.R. 409. An act 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.

H.R. 1018. An act to amend the Wild Free-Roaming Horses and Burros Act to improve the management and long-term health of wild free-roaming horses and burros, and for other purposes.

H.R. 1442. An act 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.

H.R. 2188. An act 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.

H.R. 3170. An act making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes.

H.R. 3183. An act making appropriations for energy and water development and related agencies 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 resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 156. Concurrent resolution condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 129. An act to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California; to the Committee on Energy and Natural Resources.

H.R. 409. An act 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; to the Committee on Energy and Natural Resources.

H.R. 1018. An act to amend the Wild Free-Roaming Horses and Burros Act to improve the management and long-term health of wild free-roaming horses and burros, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1442. An act 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; to the Committee on Energy and Natural Resources.

H.R. 2188. An act 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; to the Committee on Environment and Public Works.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 156. Concurrent resolution condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994, and for other purposes; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3170. An act making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes.

H.R. 3183. An act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 529. A bill to assist in the conservation of rare felid and rare canids by supporting and providing financial resources for the conservation programs of countries within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations (Rept. No. 111–52).

H.R. 80. A bill to amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act, to make corrections in the provisions relating to captive wildlife offenses under that Act, and for other purposes (Rept. No. 111–53).

H.R. 388. A bill to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystems of cranes (Rept. No. 111–54).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TESTER:

S. 1470. A bill to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER (for himself and Ms. LANDRIEU):

S. 1471. A bill to direct the Secretary of the Army to carry out certain water control projects at Lake Pontchartrain, Louisiana, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself and Mr. COBURN):

S. 1472. A bill to establish a section within the Criminal Division of the Department of Justice to enforce human rights laws, to make technical and conforming amendments to criminal and immigration laws pertaining to human rights violations, and for other purposes; to the Committee on the Judiciary.

By Mrs. HAGAN (for herself and Mr. CORNYN):

S. 1473. A bill to catalyze change in the care and treatment of diabetes in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS (for himself, Mr. ROCKEFELLER, and Mr. MENENDEZ):

S. 1474. A bill to amend the Internal Revenue Code of 1986 to repeal the provision prohibiting the crediting of interest to the Highway Trust Fund, and for other purposes; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mr. GRAHAM):

S. 1475. A bill to prohibit the heads of executive agencies from entering into or renewing procurement contracts with persons that export certain computer or telecommunications technologies to Iran, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KERRY:

S. Res. 217. A resolution commending Captain Wei Jiafu and the China Ocean Shipping Company for increasing business relations between the United States and China; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. REID, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. 21, a bill to reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 144

At the request of Mr. KERRY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 144, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 307

At the request of Mr. WYDEN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 307, a bill to amend title XVIII of the Social Security Act to provide flexibility in the manner in which beds are counted for purposes of determining whether a hospital may be designated as a critical access hospital under the Medicare program and to exempt from the critical access hospital inpatient bed limitation the number of beds provided for certain veterans.

S. 316

At the request of Mrs. LINCOLN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 316, a bill to amend the Internal Revenue Code of 1986 to make permanent the reduction in the rate of tax on qualified timber gain of corporations, and for other purposes.

S. 343

At the request of Mrs. LINCOLN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 343, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage services of qualified respiratory therapists performed under the general supervision of a physician.

S. 557

At the request of Mr. MARTINEZ, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 557, a bill to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes.

S. 604

At the request of Mr. SANDERS, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Texas (Mrs. HUTCHISON), the Senator from Texas (Mr. CORNYN) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 604, a bill to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited by the Comptroller General of the United States and the manner in which such audits are reported, and for other purposes.

S. 624

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 624, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 647

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 647, a bill to amend titles XVIII and XIX of the Social Security Act to improve the transparency of information on skilled nursing facilities and nursing facilities and to clarify and improve the targeting of the enforcement of requirements with respect to such facilities.

S. 662

At the request of Mr. CONRAD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 662, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. 664

At the request of Ms. COLLINS, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 664, a bill to create a systemic risk monitor for the financial system of the United States, to oversee financial regulatory activities of the Federal Government, and for other purposes.

S. 781

At the request of Mr. ROBERTS, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 801

At the request of Mr. THUNE, his name was added as a cosponsor of S. 801, a bill to amend title 38, United States Code, to waive charges for humanitarian care provided by the Department of Veterans Affairs to family members accompanying veterans severely injured after September 11, 2001, as they receive medical care from the Department and to provide assistance to family caregivers, and for other purposes.

S. 812

At the request of Mr. BAUCUS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 812, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 819

At the request of Mr. DURBIN, the names of the Senator from Illinois (Mr. BURRIS) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 819, a bill to provide for enhanced treatment, support, services, and research for individuals with autism spectrum disorders and their families.

S. 823

At the request of Ms. SNOWE, the name of the Senator from Louisiana (Ms. LANDRIEU) 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. 845

At the request of Mr. THUNE, the names of the Senator from Montana (Mr. TESTER) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 845, a bill to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State.

S. 846

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 846, a bill to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 850

At the request of Mr. KERRY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

S. 942

At the request of Mr. GRASSLEY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 942, a bill to prevent the abuse of Government charge cards.

S. 951

At the request of Mr. NELSON of Florida, the names of the Senator from Texas (Mr. CORNYN), the Senator from Washington (Mrs. MURRAY), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Wyoming (Mr. ENZI) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 951, a bill to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. ''Buzz'' Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr.

S. 973

At the request of Mr. NELSON of Florida, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 973, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1065

At the request of Mr. BROWNBACK, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1065, a bill to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000,000 or more in Iran's energy sector, and for other purposes.

S. 1072

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1072, a bill to amend chapter 1606 of title 10, United States Code, to modify the basis utilized for annual adjustments in amounts of educational assistance for members of the Selected Reserve.

S. 1089

At the request of Mr. BAUCUS, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1089, a bill to facilitate the export of United States agricultural commodities and products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to establish an agricultural export promotion program with respect to Cuba, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States citizens and legal residents, to establish an agricultural export promotion program with respect to Cuba, and for other purposes.

S. 1106

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1106, a bill to amend title 10, United States Code, to require the provision of medical and dental readiness services to certain members of the Selected Reserve and Individual Ready Reserve based on medical need, and for other purposes.

S. 1148

At the request of Mr. GRASSLEY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1148, a bill to amend the Clean Air Act to modify a provision relating to the renewable fuel program.

S. 1183

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 1183, a bill to authorize the Secretary of Agriculture to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1221

At the request of Mr. SPECTER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1221, a bill to amend title XVIII of the Social Security Act to ensure more appropriate payment amounts for drugs and biologicals under part B of the Medicare Program by excluding customary prompt pay discounts extended to wholesalers from the manufacturer's average sales price.

S. 1237

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1237, a bill to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, and for other purposes.

S. 1304

At the request of Mr. GRASSLEY, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 1304, a bill to restore the economic rights of automobile dealers, and for other purposes.

S. 1318

At the request of Mr. GREGG, the names of the Senator from Kentucky (Mr. BUNNING) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 1318, a bill to prohibit the use of stimulus funds for signage indicating that a project is being carried out using those funds.

S. 1402

At the request of Mr. MERKLEY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1402, a bill to amend the Internal Revenue Code of 1986 to increase the amount allowed as a deduction for start-up expenditures.

S. 1415

At the request of Mr. SCHUMER, the names of the Senator from Indiana (Mr. BAYH), the Senator from Florida (Mr. NELSON), the Senator from Minnesota (Mr. FRANKEN), the Senator from Vermont (Mr. LEAHY), the Senator from Nevada (Mr. ENSIGN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Oregon (Mr. WYDEN), the Senator from Alaska (Mr. BEGICH), the Senator from Maryland (Mr. CARDIN), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Mississippi (Mr. COCHRAN)

were added as cosponsors 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. 1416

At the request of Mr. BROWNBACK, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1416, a bill to require the redesignation of North Korea as a state sponsor of terrorism, to impose sanctions with respect to North Korea, to require reports on the status of North Korea's nuclear weapons program and counterproliferation efforts, and for other purposes.

S. 1425

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1425, a bill to increase the United States financial and programmatic contributions to promote economic opportunities for women in developing countries.

S. CON. RES. 25

At the request of Mr. MENENDEZ, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. Con. Res. 25, a concurrent resolution recognizing the value and benefits that community health centers provide as health care homes for over 18,000,000 individuals, and the importance of enabling health centers and other safety net providers to continue to offer accessible, affordable, and continuous care to their current patients and to every American who lacks access to preventive and primary care services.

S. RES. 200

At the request of Mr. UDALL of Colorado, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. Res. 200, a resolution designating September 12, 2009, as ''National Childhood Cancer Awareness Day''.

S. RES. 210

At the request of Mrs. LINCOLN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Res. 210, a resolution designating the week beginning on November 9, 2009, as National School Psychology Week.

S. RES. 212

At the request of Mr. JOHANNS, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from New Hampshire (Mr. GREGG), the Senator from Texas (Mrs. HUTCHISON) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. Res. 212, a resolution expressing the sense of the Senate that any savings under the Medicare program should be invested back into the Medicare program, rather than creating new entitlement programs.

AMENDMENT NO. 1484

At the request of Mr. GREGG, the names of the Senator from Kentucky (Mr. BUNNING) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of amendment No. 1484 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1501

At the request of Mr. BOND, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from North Carolina (Mrs. HAGAN), the Senator from Oregon (Mr. WYDEN) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of amendment No. 1501 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1504

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 1504 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1513

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 1513 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1515

At the request of Mr. NELSON of Florida, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 1515 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1530

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 1530 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1557

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 1557 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1558

At the request of Mr. NELSON of Florida, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of amendment No. 1558 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1570

At the request of Mr. FRANKEN, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of amendment No. 1570 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1575

At the request of Mr. JOHANNS, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 1575 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1585

At the request of Mr. DEMINT, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of amendment No. 1585 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1618

At the request of Mr. THUNE, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Utah (Mr. HATCH), the Senator from Alaska (Mr. BEGICH), the Senator from Utah (Mr. BENNETT), the Senator from New Hampshire (Mr. GREGG), the Senator from Kansas (Mr. ROBERTS), the Senator from Nevada (Mr. ENSIGN), the Senator from Texas (Mr. CORNYN), the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. BROWNBACK), the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. GRAHAM), the Senator from South Carolina (Mr. DEMINT), the Senator from Idaho (Mr. CRAPO), the Senator from Nebraska (Mr. JOHANNS), the Senator from Montana (Mr. TESTER) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of amendment No. 1618 proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. COBURN):

S. 1472. A bill to establish a section within the Criminal Division of the Department of Justice to enforce human rights laws, to make technical and conforming amendments to criminal and immigration laws pertaining to human rights violations, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I rise today to speak about the Human Rights Enforcement Act of 2009, which I am introducing today. This narrowly-tailored, bipartisan legislation would make it easier for the Justice Department to hold accountable human rights abusers who seek safe haven in our country.

I would like to thank the lead Republican cosponsor of the Human Rights Enforcement Act, Senator TOM COBURN of Oklahoma. This bill is a product of the Judiciary Committee's Subcommittee on Human Rights and the Law. I am the chairman of this subcommittee and Senator COBURN is its ranking member.

The end of the last century was marked by horrific human rights abuses in places such as Bosnia and Rwanda. The early years of this century have seen ongoing atrocities being committed in, among other places, Darfur and Burma.

While a growing number of perpetrators of human rights abuses have been held accountable in international, hybrid and state tribunals, a much larger number have escaped accountability for their crimes. Some of these human rights violators have fled to the U.S.

How we as a country treat suspected perpetrators of serious human rights abuses in the U.S. sends an important message to the world about our commitment to human rights and the rule of law. It also signals to perpetrators of human rights abuses considering seeking refuge in the U.S. what treatment they can expect to receive.

The U.S. has been a leader in holding the perpetrators of serious human rights violations accountable for their crimes. Over 60 years ago, following the Holocaust, we led the efforts to prosecute Nazi perpetrators at the Nuremberg trials. We have also supported the prosecution of human rights crimes before the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, and the Special Court for Sierra Leone.

In some circumstances, the U.S. Government has also made valiant efforts to hold accountable human rights violators who have found safe haven in our country, but more must be done. Federal law enforcement reportedly has over 1,000 open cases involving suspected perpetrators of serious human rights abuses from almost 90 countries who are now in the U.S. While no one knows the total number of human rights abusers living in the U.S., the number of open cases presumably represents only a small portion of the total number of such perpetrators.

In the last Congress, the Subcommittee on Human Rights and the Law held hearings which identified loopholes in the law that hinder effective human rights enforcement. In order to close some of these loopholes and make it easier to prosecute human rights abuses, Senator COBURN and I introduced the Genocide Accountability Act, the Child Soldiers Accountability Act and the Trafficking in Persons Act, legislation passed unanimously by Congress and signed into law by President George W. Bush that denies safe haven in the United States to perpetrators of genocide, child soldier recruitment and use, and human trafficking.

We also examined the U.S. Government agencies which bear responsibility for investigating human rights abusers and how to increase the likelihood that human rights violators will be held accountable.

There are two offices within the Justice Department that investigate and prosecute suspected human rights abusers. The Office of Special Investigations, established by Attorney General Richard Civiletti in 1979, was assigned:

> [T]he primary responsibility for detecting, investigating, and, where appropriate, taking legal action to deport, denaturalize, or prosecute any individual who was admitted as an alien into or became a naturalized citizen of the United States and who has assisted the Nazis by persecuting any person because of race, religion, national origin, or political opinion.

Over the years, the Office of Special Investigations, also known as OSI, has led the way in investigating, denaturalizing and removing World War II-era participants in genocide and other Nazi crimes. I want to commend OSI for its outstanding work tracking down and bringing to justice Nazi war criminals who have found safe haven in our country. Since 1979, OSI has successfully prosecuted 107 Nazis.

Just this year, OSI has succeeded in deporting two Nazi war criminals. Josias Kumpf, who immigrated to the United States in 1956 and lived in Racine, Wisconsin, was a guard at the Sachsenhausen Concentration Camp in Germany and the Trawniki Labor Camp in Nazi-occupied Poland. Kumpf allegedly participated in the extermination of 8,000 Jews in one day at the Trawniki camp. OSI Director Eli Rosenbaum said, ''The removal of Josias Kumpf to Austria has achieved a significant measure of justice on behalf of the victims of Nazi inhumanity and it reflects the unswerving commitment of the U.S. government to continuing the quest for justice.''

OSI also deported John Demjanjuk to Germany, where last week he was charged with involvement in the murder of 27,900 people at the Sobibor extermination camp in Nazi-occupied Poland. Demjanjuk came to the United States in 1952 and lived in Seven Hills, Ohio. During World War II, Demjanjuk allegedly served as a guard at a number of Nazi concentration camps. Lanny Breuer, the Assistant Attorney General of the Criminal Division, said, ''The removal to Germany of John Demjanjuk is an historic moment in the federal government's efforts to bring Nazi war criminals to justice. Mr. Demjanjuk, a confirmed former Nazi death camp guard, denied to thousands the very freedoms he enjoyed for far too long in the United States.''

Due to OSI's outstanding work, the U.S. is the only country in the world to receive an ''A'' rating from the Simon Wiesenthal Center for bringing Nazi war criminals to justice. I especially want to commend Eli Rosenbaum, who has worked at OSI for more than two decades and has been OSI's director since 1995. OSI's success is due in large measure to Mr. Rosenbaum's leadership and personal dedication to holding Nazi perpetrators accountable.

In 2004, the Intelligence Reform and Terrorism Prevention Act further strengthened the Office of Special Investigations by statutorily authorizing it and expanding its jurisdiction to include serious human rights crimes committed after World War II.

The Domestic Security Section, which was established more recently, seeks to investigate and prosecute major human rights violators and has jurisdiction over the criminal laws relating to torture, genocide, war crimes, the use or recruitment of child soldiers, and other atrocities. In 2008, the Domestic Security Section and the United States Attorney's Office for the Southern District of Florida obtained the first federal conviction for torture against Chuckie Taylor, son of former

Liberian president Charles Taylor, for committing torture in Liberia when he served as the head of the Anti-Terrorist Unit. Taylor and other Anti-Terrorist Unit members engaged in horrific acts of torture, including shocking victims with an electric device and burning victims with molten plastic, lit cigarettes, scalding water, candle wax and an iron. Then-Attorney General Michael Mukasey said, ''Today's conviction provides a measure of justice to those who were victimized by the reprehensible acts of Charles Taylor Jr. and his associates. It sends a powerful message to human rights violators around the world that, when we can, we will hold them fully accountable for their crimes.''

I commend the Office of Special Investigations and the Domestic Security Section for their successes in holding human rights abusers accountable.

The Human Rights Enforcement Act would seek to build on this important work by creating a new office in the Criminal Division that would focus exclusively on enforcing human rights laws. My bill would combine the Office of Special Investigations, which has significant experience in investigating and denaturalizing human rights abusers, with the Domestic Security Section, which has broad jurisdiction over human rights crimes. Consolidating these two sections would allow limited law enforcement resources to be used more effectively and ensure that one section in the Justice Department has the necessary expertise and jurisdiction to investigate and, where appropriate, prosecute, denaturalize or deport perpetrators of serious human rights crimes.

The Human Rights Enforcement Act also includes a number of technical an conforming amendments, including: technical changes to the criminal law on genocide, 18 U.S.C. 1091, that the Justice Department requested in 2007 to make it easier to prosecute perpetrators of genocide; clarifying that the immigration provisions of the Child Soldiers Accountability Act apply to offenses committed before the bill's enactment; a conforming amendment to the Immigration and Nationality Act required by the enactment of the Genocide Accountability Act; and a conforming amendment to the material support statute, made necessary by the enactment of the Genocide Accountability Act and the Child Soldiers Accountability Act, making it illegal to provide material support to genocide and the use or recruitment of child soldiers.

The United States has a proud tradition of leadership in the promotion of human rights and the world watches our steps in this field closely. By holding perpetrators of serious human rights abusers found in the U.S. accountable, we will demonstrate our commitment to upholding the human rights principles we have long advocated and discourage human rights violators from fleeing to the U.S.

I urge my colleagues to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1472

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 ''Human Rights Enforcement Act of 2009''.

SEC. 2. SECTION TO ENFORCE HUMAN RIGHTS LAWS.

(a) REPEAL.—Section 103(h) of the Immigration and Nationality Act (8 U.S.C. 1103(h)) is repealed.

(b) SECTION TO ENFORCE HUMAN RIGHTS LAWS.—Chapter 31 of title 28, United States Code, is amended by inserting after section 509A the following:

''§ 509B. Section to enforce human rights laws

''(a) Not later than 90 days after the date of the enactment of the Human Rights Enforcement Act of 2009, the Attorney General shall establish a section to enforce human rights laws within the Criminal Division of the Department of Justice.

''(b) The section is authorized to—

''(1) identify individuals who are suspected of committing serious human rights offenses under Federal law;

''(2) take appropriate legal action, including prosecution, denaturalization or extradition, against the individuals identified pursuant to paragraph (1); and

''(3) coordinate any such legal action with the United States Attorney for the relevant jurisdiction.

''(c) The Attorney General shall consult with the Secretary of Homeland Security and the Secretary of State in making determinations regarding the prosecution, removal, denaturalization, extradition, or exclusion of naturalized citizens or aliens who are suspected of committing serious human rights offenses under Federal law.

''(d) In determining the appropriate legal action to take against individuals who are suspected of committing serious human rights offenses under Federal law, the section shall take into consideration the availability of criminal prosecution under the laws of the United States for such offenses or in a foreign jurisdiction that is prepared to undertake a prosecution for the conduct that forms the basis for such offenses.

''(e) The term 'serious human rights offenses under Federal law' includes—

''(1) violations of Federal criminal laws relating to genocide, torture, war crimes, and the use or recruitment of child soldiers under sections 1091, 2340, 2340A, 2441, and 2442 of title 18, United States Code; and

''(2) genocide, torture, extrajudicial killings, Nazi persecution, or the use or recruitment of child soldiers, as described in subparagraphs (E) and (G) of section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)).''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 31 of the title 28, United States Code, is amended by inserting after the item relating to section 509A the following:

''Sec. 509B. Section to enforce human rights laws.''.

SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

(a) GENOCIDE.—Section 1091 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking '', in a circumstance described in subsection (d)''; and

(B) by striking ''or attempts to do so,'';

(2) in subsection (c), by striking ''in a circumstance described in subsection (d)'';

(3) by striking subsection (d) and (e); and

(4) by inserting after subsection (c) the following:

''(d) ATTEMPT AND CONSPIRACY.—Any person who attempts or conspires to commit an offense under this section shall be punished in the same manner as a person who completes the offense.

''(e) JURISDICTION.—There is jurisdiction over the offenses described in subsections (a), (c), and (d) if—

''(1) the offense is committed in whole or in part within the United States; or

''(2) regardless of where the offense is committed, the alleged offender is—

''(A) a national of the United States (as that term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101));

''(B) an alien lawfully admitted for permanent residence in the United States (as that term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101));

''(C) a stateless person whose habitual residence is in the United States; or

''(D) present in the United States.

''(f) NONAPPLICABILITY OF CERTAIN LIMITATIONS.—Notwithstanding section 3282, in the case of an offense under this section, an indictment may be found, or information instituted, at any time without limitation.''.

(b) IMMIGRATION AND NATIONALITY ACT.—Section 212(a)(3)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(E)(ii)) is amended by striking ''ordered, incited, assisted, or otherwise participated in conduct outside the United States that would, if committed in the United States or by a United States national, be genocide, as defined in section 1091(a)'' and inserting ''has engaged in genocide in violation of section 1091''.

(c) APPLICABILITY.—The amendments made by subsections (b), (c) and (d) of the Child Soldiers Accountability Act of 2008 (Public Law 110–340) shall apply to offenses committed before, on, or after the date of the enactment of the Child Soldiers Accountability Act of 2008.

(d) MATERIAL SUPPORT FOR GENOCIDE OR CHILD SOLDIER RECRUITMENT.—Section 2339A(a) of title 18, United States Code, is amended by—

(1) inserting '', 1091'' after ''956''; and

(2) striking '', or 2340A'' and inserting '', 2340A, or 2442''.

By Mrs. HAGAN (for herself and Mr. CORNYN):

S. 1473. A bill to catalyze change in the care and treatment of diabetes in the United States; to the Committee on Health, Education, Labor, and Pensions.

Mrs. HAGAN. Mr. President, today I am proud to introduce the Catalyst to Better Diabetes Care Act, which is S. 1473. Without question, diabetes is an epidemic in our country, and we have to do something. Twenty-three million adults and children suffer from diabetes. Another 57 million Americans are prediabetic cases. In North Carolina, my State, 600,000 adults have been diagnosed with diabetes and another 288,000 are undiagnosed and over 400,000 have prediabetes. But with our lifestyle choices, it is not surprising that these numbers are so high. Nearly three in five North Carolinians are overweight

or obese. Being overweight is a leading cause of diabetes. A quarter of our State's citizens do not exercise. Unfortunately, it is not just adults who are suffering from this disease. In North Carolina, there are over 4,000 children who have diabetes. While type 1 diabetes is the most frequent diabetes in children, it is because of increasing obesity rates that the incidence and prevalence of type 2 diabetes is growing.

Not only is diabetes wreaking havoc on people's health, it is also costing the country millions of dollars to treat. In my State of North Carolina, diabetes costs $5.3 billion annually in medical interventions, lost productivity, and premature mortality. Annually diabetes accounts for 16,000 hospitalizations. People suffering from diabetes have greater risk of renal disease, heart attack, stroke, and blindness. Diabetics also have a high risk of amputations if they fail to get appropriate foot care.

However, with proper prevention and treatment, we can curb the staggering cost of diabetes and people can live healthier, happier lives. Lifestyle changes in diet and physical activity can reduce the development of diabetes in prediabetics. Early detection and treatment of diabetic eye disease can reduce blindness and lowering one's blood pressure can reduce the decline in kidney function, thereby averting renal failure. It is because of these proven interventions that I introduce this important bill today.

The Catalyst to Better Diabetes Care Act will address five major issues to further the fight against this debilitating and deadly disease. This bill creates a cross-agency, collaborative patient and provider outreach program to increase the utilization of the Medicare diabetes screening benefit. Although this screening program was established in 2003, at present, very few seniors are taking advantage of this benefit. Early screening allows diabetics to better monitor and control their condition and prevent complications. This provision will save money and lives. When employees have incentives to select more nutritious food and to exercise, not only are they more productive, their overall health is improved. Companies like Pitney Bowes are implementing innovative practices to encourage their employees to live healthier lives, and such initiatives have shown remarkable results.

Building upon these experiences, this bill establishes an advisory group to promote innovative private sector wellness and disease management programs. Diabetes takes an enormous toll on society. Yet we have very little consolidated data which measures the true impact and outcome of this disease. To address this gap, this bill creates a national and State-by-State level diabetes report card which will track our progress toward beating diabetes. The report card will contain information on preventative care practices and quality of care, risk factors, and outcomes of individuals who are diagnosed with diabetes and prediabetes.

Studies indicate that only 35 to 40 percent of diabetics who die have diabetes listed anywhere on their death certificate, and only about 10 to 15 percent have diabetes listed as the underlying cause of death. Without this information, our country is not able to grasp the full impact that complications from diabetes has on our health care system and society.

In order to better understand the scope of this epidemic, this bill requires the director of the CDC to promote the education and training of physicians on properly completing a birth and death certificate as well as the possibility of promoting language to improve the collection of diabetes mortality data, despite estimates that nearly one in three children today will go on to develop diabetes. Today's medical students are only required to have 4 hours of education in diabetes to become a board-certified physician. As diabetes touches more and more Americans, it will be critical that our doctors recognize this disease and have the tools and understanding to discuss prevention and proper treatment with their patients. That is why this bill requires HHS to collaborate with the Institute of Medicine and other related entities to study the impact of diabetes on the practice of medicine and develop recommendations to appropriate levels of diabetes medical education that should be required prior to licensure, board certification, and board recertification.

Diabetes has taken an enormous toll on our society's health and our economy. But in many cases, this disease can be preventable.

The Catalyst of Better Diabetes Care will address some of the fundamental obstacles that prevent us from tackling this disease head on. Better outreach, better data, and better education of patients and physicians are the keys to reducing morbidity and mortality from diabetes and lessening the costly burden this condition has inserted upon our country.

I wish to thank my Republican colleague, Senator JOHN CORNYN, for joining me in cosponsoring this measure. I urge my other colleagues to join us in supporting this very important bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 217—COMMENDING CAPTAIN WEI JIAFU AND THE CHINA OCEAN SHIPPING COMPANY FOR INCREASING BUSINESS RELATIONS BETWEEN THE UNITED STATES AND CHINA

Mr. KERRY submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 217

Whereas, as a young sea captain, the United States Coast Guard gave Captain Wei Jiafu special recognition for knowledge and skill in navigating in the waters of the United States;

Whereas, as Chairman of COSCO, Captain Wei oversees the largest China-based employer of United States workers;

Whereas, under the leadership of Captain Wei, the China Ocean Shipping Company (referred to in this preamble as ''COSCO'') was the first foreign shipping company to comply with the regulations of the Department of Homeland Security governing ocean shipping containers;

Whereas, under the leadership of Captain Wei, the port authorities in cities including Long Beach, Seattle, New York, and New Orleans have recognized COSCO;

Whereas the most notable accomplishment of Captain Wei and COSCO was establishing service between the Port of Boston and ports in China, which saved the jobs of thousands of port workers in Massachusetts; and

Whereas, under the leadership of Captain Wei, COSCO has donated a Chair to Harvard University, financially supported cleaner oceans and the protection of sea life in Alaska, and mobilized employees to volunteer time and resources to assist victims of disasters in China and other countries in Asia: Now, therefore, be it

Resolved, That the Senate—

(1) commends Captain Wei Jiafu and the China Ocean Shipping Company (referred to in this resolution as ''COSCO'') for staying committed to professionalism and promoting citizen participation that increases understanding and cooperation between the people of the United States and China;

(2) recognizes the efforts of Captain Wei to improve business relations between the United States and China; and

(3) recognizes the charitable contributions of COSCO and the efforts of the company to support higher education in the United States and around the world.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1619. Mr. UDALL, of Colorado submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1620. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1621. Mrs. SHAHEEN (for herself, Mr. JOHANNS, Mr. KAUFMAN, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1622. Mr. KERRY (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1623. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1624. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1625. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1626. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1627. Mr. LIEBERMAN (for himself, Mr. MCCAIN, Ms. SNOWE, Mr. REED, Mr. DODD, Mr. INHOFE, Mrs. HUTCHISON, Ms. COLLINS, Mr. KYL, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1628. Mr. KYL (for himself, Mr. LIEBERMAN, Mr. BAYH, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1629. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1630. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1631. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1632. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1633. Mr. GRAHAM (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1634. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1635. Mr. SCHUMER (for himself, Mr. CHAMBLISS, Mr. NELSON, of Nebraska, Mr. BENNETT, Mr. CORNYN, Mr. ISAKSON, Ms. CANTWELL, Mrs. SHAHEEN, Mr. BURRIS, Mr. VITTER, Mr. CASEY, Mr. PRYOR, Mr . BYRD, Mr. UDALL, of New Mexico, Mrs. FEINSTEIN, Mr. DURBIN, Mrs. MURRAY, Mr. WARNER, Mrs. HUTCHISON, Mr. ALEXANDER, Mr. CONRAD, Mr. BROWNBACK, Mr. SPECTER, Mr. WICKER, Mr. BURR, Mr. LIEBERMAN, Mr. ROBERTS, Mr. RISCH, Mrs. LINCOLN, Mr. THUNE, Mr. BOND, Mr. BAYH, Mr. NELSON, of Florida, Mr. FRANKEN, Mr. ENSIGN, Mr. LEAHY, Mr. KENNEDY, Mr. WYDEN, Mr. CARDIN, Mr. BEGICH, Mrs. GILLIBRAND, Mr. INHOFE, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1636. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1637. Mr. PRYOR (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1638. Mr. MCCAIN (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1639. Mrs. HAGAN (for Ms. COLLINS) proposed an amendment to the concurrent resolution S. Con. Res. 11, condemning all forms of anti-Semitism and reaffirming the support of Congress for the mandate of the Special Envoy to Monitor and Combat Anti-Semitism, and for other purposes.

SA 1640. Mrs. HAGAN (for Mr. NELSON, OF FLORIDA) proposed an amendment to the bill S. 951, to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. ''Buzz'' Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr.

SA 1641. Mrs. HAGAN (for Mr. NELSON, OF FLORIDA) proposed an amendment to the bill S. 951, supra.

SA 1642. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1643. Mr. CASEY (for himself and Mr. BAYH) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1644. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1645. Mr. BROWN (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

SA 1646. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1390, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1619. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was order to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. ____. DEPARTMENT OF DEFENSE PARTICIPATION IN PROGRAMS FOR MANAGEMENT OF ENERGY DEMAND OR REDUCTION OF ENERGY USAGE DURING PEAK PERIODS.

(a) IN GENERAL.—Subchapter I of chapter 173 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2919. Department of Defense participation in programs for management of energy demand or reduction of energy usage during peak periods

''(a) PARTICIPATION IN DEMAND RESPONSE OR LOAD MANAGEMENT PROGRAMS.—The Secretary of Defense, the Secretaries of the military departments, the heads of the Defense Agencies, and the heads of other instrumentalities of the Department of Defense are authorized to participate in demand response programs for the management of energy demand or the reduction of energy usage during peak periods conducted by any of the following parties:

''(1) An electric utility

''(2) An independent system operator.

''(3) A State agency.

''(4) A third party entity (such as a demand response aggregator or curtailment service provider) implementing demand response programs on behalf of an electric utility, independent system operator, or State agency.

''(b) TREATMENT OF CERTAIN FINANCIAL INCENTIVES.—Financial incentives received from an entity specified in subsection (a) shall be received in cash and deposited into the Treasury as a miscellaneous receipt. Amounts received shall be available for obligation only to the extent provided in advance in an appropriations Act. The Secretary concerned or the head of the Defense Agency or other instrumentality, as the case may be, shall pay for the cost of the design and implementation of these services in full in the year in which they are received from amounts provided in advance in an appropriations Act.

''(c) USE OF CERTAIN FINANCIAL INCENTIVES.—Of the amounts derived from financial incentives awarded to a military installation as described in subsection (b) and provided for in advance by an appropriations Act—

''(1) not less than 100 percent shall be made available for use at such military installation; and

''(2) not less than 30 percent shall be made available for energy management initiatives at such installation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''2919. Department of Defense participation in programs for management of energy demand or reduction of energy usage during peak periods.''.

SA 1620. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, add the following:

SEC. 838. SMALL BUSINESS CONTRACTING PROGRAMS PARITY.

Section 31(b)(2)(B) of the Small Business Act (15 U.S.C. 657a(b)(2)(B)) is amended by striking ''shall'' and inserting ''may''.

SA 1621. Mrs. SHAHEEN (for herself, Mr. JOHANNS, Mr. KAUFMAN, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 161, after line 23, add the following:

SEC. 557. EXPANSION OF SUICIDE PREVENTION AND COMMUNITY HEALING AND RESPONSE TRAINING UNDER THE YELLOW RIBBON REINTEGRATION PROGRAM.

Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended—

(1) in subsection (h)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) through (15) as paragraphs (3) through (14), respectively; and

(2) by adding at the end the following new subsection:

''(i) SUICIDE PREVENTION AND COMMUNITY HEALING AND RESPONSE PROGRAM.—

''(1) ESTABLISHMENT.—As part of the Yellow Ribbon Reintegration Program, the Office for Reintegration Programs shall establish a program to provide National Guard

and Reserve members and their families, and in coordination with community programs, assist the communities, with training in suicide prevention and community healing and response to suicide.

''(2) DESIGN.—In establishing the program under paragraph (1), the Office for Reintegration Programs shall consult with—

''(A) persons that have experience and expertise with combining military and civilian intervention strategies that reduce risk and promote healing after a suicide attempt or suicide death for National Guard and Reserve members; and

''(B) the adjutant general of each State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

''(3) OPERATION.—

''(A) SUICIDE PREVENTION TRAINING.—The Office for Reintegration Programs shall provide National Guard and Reserve members with training in suicide prevention. Such training shall include—

''(i) describing the warning signs for suicide and teaching effective strategies for prevention and intervention;

''(ii) examining the influence of military culture on risk and protective factors for suicide; and

''(iii) engaging in interactive case scenarios and role plays to practice effective intervention strategies.

''(B) COMMUNITY HEALING AND RESPONSE TRAINING.—The Office for Reintegration Programs shall provide the families and communities of National Guard and Reserve members with training in responses to suicide that promote individual and community healing. Such training shall include—

''(i) enhancing collaboration among community members and local service providers to create an integrated, coordinated community response to suicide;

''(ii) communicating best practices for preventing suicide, including safe messaging, appropriate memorial services, and media guidelines;

''(iii) addressing the impact of suicide on the military and the larger community, and the increased risk that can result; and

''(iv) managing resources to assist key community and military service providers in helping the families, friends, and fellow soldiers of a suicide victim through the processes of grieving and healing.

''(C) COLLABORATION WITH CENTERS OF EXCELLENCE.—The Office for Reintegration Programs, in consultation with the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury, shall collect and analyze 'lessons learned' and suggestions from State National Guard and Reserve organizations with existing or developing suicide prevention and community response programs.''.

SA 1622. Mr. KERRY (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 713. HEALTH CARE FOR MEMBERS OF THE RESERVE COMPONENTS.

(a) IN GENERAL.—Subsection (d) of section 1074 of title 10, United States Code, is amended to read as follows:

''(d)(1) For the purposes of this chapter, a member of a reserve component of the armed forces who is issued a delayed-effective-date active-duty order, is covered by such an order, or is issued an official notification shall be treated as being on active duty for a period of more than 30 days beginning on the later of the following dates:

''(A) The earlier of the date that is—

''(i) the date of the issuance of such order; or

''(ii) the date of the issuance of such official notification.

''(B) The date that is 180 days before the date on which the period of active duty is to commence under such order or official notification for that member.

''(2) In this subsection—

''(A) the term 'delayed-effective-date active-duty order' means an order to active duty for a period of more than 30 days in support of a contingency operation under a provision of law referred to in section 101(a)(13)(B) of this title that provides for active-duty service to begin under such order on a date after the date of the issuance of the order; and

''(B) the term 'official notification' means a memorandum from the Secretary concerned that notifies a unit or a member of a reserve component of the armed forces that such unit or member will receive a delayed-effective-date active-duty order.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to delayed-effective-date active-duty orders and official notifications (as such terms are defined in section 1074(d)(2) of title 10, United States Code, as amended by subsection (a)) issued on or after the date of the enactment of this Act.

SA 1623. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 479, between lines 18 and 19, insert the following:

SEC. 1222. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.

Section 1225 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2424) is amended—

(1) in subsection (a), by striking ''until December 31, 2010, the President shall submit'' and inserting ''(but not later than the first of each May), the Director of the Office of Management and Budget shall submit'';

(2) in subsection (b), by adding at the end the following new paragraph:

''(4) A listing of each United States agency, department, or entity that provides assessed or voluntary contributions to the United Nations through grants, contracts, subgrants, or subcontracts that is not fully compliant with the requirements to post such funding information for the fiscal year covered by such report on the website 'USAspending.gov', as required by the Federal Funding Accountability and Transparency Act (Public Law 109–282; 31 U.S.C. 6101 note).''; and

(3) by adding at the end the following new subsection:

''(c) PUBLIC AVAILABILITY OF INFORMATION.—The Director of the Office of Management and Budget shall post a public version of each report submitted under subsection (a) on a text-based searchable and publicly available Internet website.''.

SA 1624. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 429, between lines 8 and 9, insert the following:

SEC. 1073. REPORT ON DEFENSE TRAVEL SIMPLIFICATION.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a comprehensive plan to simplify defense travel.

(b) ELEMENTS.—The report required under subsection (a) shall include the following:

(1) Critical review of opportunities to streamline and simplify defense travel policies and to reduce travel-related costs to the Department of Defense.

(2) Options to leverage industry capabilities that could enhance management responsiveness to changing markets.

(3) A discussion of pilot programs that could be undertaken to prove the merit of improvements identified in accomplishing actions specified in paragraphs (1) and (2).

(4) Such recommendations and an implementation plan for legislative or administrative action as the Secretary of Defense considers appropriate to improve defense travel.

SA 1625. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. GUIDELINES FOR HATE-CRIMES OFFENSES.

Section 249(a) of title 18, United States Code, as added by section _____ of this Act, is amended by adding at the end the following:

''(4) GUIDELINES.—All prosecutions conducted by the United States under this section shall be undertaken pursuant to guidelines issued by the Attorney General, or the designee of the Attorney General, to be included in the United States Attorneys' Manual that shall establish neutral and objective criteria for determining whether a crime was committed because of the actual or perceived status of any person.''.

SA 1626. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

On page 590, between lines 9 and 10, insert the following:

SEC. 31____. TERMINATION OF FINANCIAL ASSISTANCE TO STATE OF NEVADA.

Section 116(c)(4)(A) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10136(c)(4)(A)) is amended—

(1) in the matter preceding clause (i), by striking ''the expiration of the 1-year period following'';

(2) in clause (ii), by striking ''; or'' and inserting a semicolon;

(3) by redesignating clause (iii) as clause (iv); and

(4) by inserting after clause (ii) the following:

''(iii) the date of enactment of the National Defense Authorization Act for Fiscal Year 2010; or''.

SA 1627. Mr. LIEBERMAN (for himself, Mr. MCCAIN, Ms. SNOWE, Mr. REED, Mr. DODD, Mr. INHOFE, Mrs. HUTCHISON, Ms. COLLINS, Mr. KYL, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, strike lines 4 through 17, and insert the following:

SEC. 211. LIMITATION ON USE OF FUNDS FOR AN ALTERNATIVE PROPULSION SYSTEM FOR THE F–35 JOINT STRIKE FIGHTER PROGRAM; INCREASE IN FUNDING FOR PROCUREMENT OF UH–1Y/AH–1Z ROTARY WING AIRCRAFT AND FOR MANAGEMENT RESERVES FOR THE F–35 JOINT STRIKE FIGHTER PROGRAM.

(a) LIMITATION ON USE OF FUNDS FOR AN ALTERNATIVE PROPULSION SYSTEM FOR THE F–35 JOINT STRIKE FIGHTER PROGRAM.—None of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended for the development or procurement of an alternate propulsion system for the F–35 Joint Strike Fighter program until the Secretary of Defense submits to the congressional defense committees a certification in writing that the development and procurement of the alternate propulsion system—

(1) will—

(A) reduce the total life-cycle costs of the F–35 Joint Strike Fighter program; and

(B) improve the operational readiness of the fleet of F–35 Joint Strike Fighter aircraft; and

(2) will not—

(A) disrupt the F–35 Joint Strike Fighter program during the research, development, and procurement phases of the program; or

(B) result in the procurement of fewer F–35 Joint Strike Fighter aircraft during the life cycle of the program.

(b) ADDITIONAL AMOUNT FOR UH–1Y/AH–1Z ROTARY WING AIRCRAFT.—The amount authorized to be appropriated by section 102(a)(1) for aircraft procurement for the Navy is increased by $282,900,000, with the amount of the increase to be allocated to amounts available for the procurement of UH–1Y/AH–1Z rotary wing aircraft.

(c) RESTORATION OF MANAGEMENT RESERVES FOR F–35 JOINT STRIKE FIGHTER PROGRAM.—

(1) NAVY JOINT STRIKE FIGHTER.—The amount authorized to be appropriated by section 201(a)(2) for research, development, test, and evaluation for the Navy is hereby increased by $78,000,000, with the amount of the increase to be allocated to amounts available for the Joint Strike Fighter program (PE # 0604800N) for management reserves.

(2) AIR FORCE JOINT STRIKE FIGHTER.—The amount authorized to be appropriated by section 201(a)(3) for research, development, test, and evaluation for the Air Force is hereby increased by $78,000,000, with the amount of the increase to be allocated to amounts available for the Joint Strike Fighter program (PE # 0604800F) for management reserves.

(d) OFFSETS.—

(1) NAVY JOINT STRIKE FIGHTER F136 DEVELOPMENT.—The amount authorized to be appropriated by section 201(a)(2) for research, development, test, and evaluation for the Navy is hereby decreased by $219,450,000, with the amount of the decrease to be derived from amounts available for the Joint Strike Fighter (PE # 0604800N) for F136 development.

(2) AIR FORCE JOINT STRIKE FIGHTER F136 DEVELOPMENT.—The amount authorized to be appropriated by section 201(a)(3) for research, development, test, and evaluation for the Air Force is hereby decreased by $219,450,000, with the amount of the decrease to be derived from amounts available for the Joint Strike Fighter (PE # 0604800F) for F136 development.

SA 1628. Mr. KYL (for himself, Mr. LIEBERMAN, Mr. BAYH, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1232. SENSE OF THE SENATE ON IMPOSING SANCTIONS WITH RESPECT TO THE ISLAMIC REPUBLIC OF IRAN.

(a) FINDINGS.—The Senate makes the following findings:

(1) The illicit nuclear activities of the Government of the Islamic Republic of Iran, combined with its development of unconventional weapons and ballistic missiles and support for international terrorism, represent a grave threat to the security of the United States and United States allies in Europe, the Middle East, and around the world.

(2) The United States and other responsible countries have a vital interest in working together to prevent the Government of the Islamic Republic of Iran from acquiring a nuclear weapons capability.

(3) As President Barack Obama said, ''Iran obtaining a nuclear weapon would not only be a threat to Israel and a threat to the United States, but would be profoundly destabilizing in the international community as a whole and could set off a nuclear arms race in the Middle East that would be extraordinarily dangerous for all concerned, including for Iran.''.

(4) The International Atomic Energy Agency has repeatedly called attention to the illicit nuclear activities of the Islamic Republic of Iran, and, as a result, the United Nations Security Council has adopted a range of sanctions designed to encourage the Government of the Islamic Republic of Iran to cease those activities and comply with its obligations under the Treaty on Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly known as the ''Nuclear Non-Proliferation Treaty'').

(5) The Department of the Treasury has imposed sanctions on several Iranian banks, including Bank Melli, Bank Saderat, Bank Sepah, and Bank Mellat, for their involvement in proliferation activities or support for terrorist groups.

(6) The Central Bank of Iran, the keystone of Iran's financial system and its principal remaining lifeline to the international banking system, has engaged in deceptive financial practices and facilitated such practices among banks involved in proliferation activities or support for terrorist groups, including Bank Sepah and Bank Melli, in order to evade sanctions imposed by the United States and the United Nations.

(7) On April 8, 2009, the United States formally extended an offer to engage in direct diplomacy with the Government of the Islamic Republic of Iran through negotiations with the five permanent members of the United States Security Council and Germany (commonly referred to as the ''P5-plus-1 process''), in the hope of resolving all outstanding disputes between the Islamic Republic of Iran and the United States.

(8) The Government of the Islamic Republic of Iran has yet to make a formal reply to the April 8, 2009, offer of direct diplomacy by the United States or to engage in direct diplomacy with the United States through the P5-plus-1 process.

(9) On July 8, 2009, President Nicolas Sarkozy of France warned that the Group of Eight major powers will give the Islamic Republic of Iran until September 2009 to accept negotiations with respect to its nuclear activities or face tougher sanctions.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Government of the Islamic Republic of Iran should—

(A) seize the historic offer put forward by President Barack Obama to engage in direct diplomacy with the United States;

(B) suspend all enrichment-related and reprocessing activities, including research and development, and work on all heavy-water related projects, including the construction of a research reactor moderated by heavy water, as demanded by multiple resolutions of the United Nations Security Council; and

(C) come into full compliance with the Nuclear Non-Proliferation Treaty, including the additional protocol to the Treaty; and

(2) the President should impose sanctions on the Central Bank of Iran and any other Iranian bank engaged in proliferation activities or support for terrorist groups, as well as any other sanctions the President determines appropriate, if—

(A) the Government of the Islamic Republic of Iran—

(i) has not accepted the offer by the United States to engage in direct diplomacy through the P5-plus-1 process before the Summit of the Group of 20 (G–20) in Pittsburgh, Pennsylvania, in September 2009; or

(ii) has not suspended all enrichment-related and reprocessing activities and work on all heavy-water related projects within 60 days of the conclusion of that Summit; and

(B) the United Nations Security Council has failed to adopt significant and meaningful additional sanctions on the Government of the Islamic Republic of Iran.

SA 1629. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 201, between lines 6 and 7, insert the following:634

SEC. 635. ELIGIBILITY FOR RETIRED PAY FOR NON-REGULAR SERVICE.

(a) AGE AND SERVICE REQUIREMENTS.—Subsection (a) of section 12731 of title 10, United States Code, is amended to read as follows:

''(a)(1) Except as provided in subsection (c), a person is entitled, upon application, to retired pay computed under section 12739 of this title, if the person—

''(A) satisfies one of the combinations of requirements for minimum age and minimum number of years of service (computed under section 12732 of this title) that are specified in the table in paragraph (2);

''(B) performed the last six years of qualifying service while a member of any category named in section 12732(a)(1) of this title, but not while a member of a regular component, the Fleet Reserve, or the Fleet Marine Corps Reserve, except that in the case of a person who completed 20 years of service computed under section 12732 of this title before October 5, 1994, the number of years of qualifying service under this subparagraph shall be eight; and

''(C) is not entitled, under any other provision of law, to retired pay from an armed force or retainer pay as a member of the Fleet Reserve or the Fleet Marine Corps Reserve.

''(2) The combinations of minimum age and minimum years of service required of a person under subparagraph (A) of paragraph (1) for entitlement to retired pay as provided in such paragraph are as follows:

''Age, in years, is at least:	**The minimum years of service** required for that age is:
53	34
54	32
55	30
56	28
57	26
58	24
59	22
60	20.''.

(b) 20-YEAR LETTER.—Subsection (d) of such section is amended by striking ''the years of service required for eligibility for retired pay under this chapter'' in the first sentence and inserting ''20 years of service computed under section 12732 of this title''.

(c) EFFECTIVE DATE.—This section and the amendments made by subsection (a) shall take effect on the first day of the first month beginning on or after the date of the enactment of this Act and shall apply with respect to retired pay payable for that month and subsequent months.

SA 1630. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 435, between lines 14 and 15, insert the following:

SEC. 1083. MODIFICATION OF SERVICEMEMBERS CIVIL RELIEF ACT REGARDING TERMINATION OR SUSPENSION OF SERVICE CONTRACTS, EFFECT OF VIOLATION OF INTEREST RATE LIMITATION, AND ENFORCEMENT BY ATTORNEY GENERAL AND PRIVATE CAUSES OF ACTION.

(a) TERMINATION OR SUSPENSION OF SERVICE CONTRACTS.—

(1) IN GENERAL.—Section 305A of the Servicemembers Civil Relief Act (50 U.S.C. App. 535a) is amended to read as follows:

''SEC. 305A. TERMINATION OR SUSPENSION OF SERVICE CONTRACTS.

''(a) TERMINATION OR SUSPENSION BY SERVICEMEMBER.—A servicemember who is party to or enters into a contract described in subsection (c) may terminate or suspend, at the servicemember's option, the contract at any time after the date of the servicemember's military orders, as described in subsection (c).

''(b) SPECIAL RULES.—

''(1) DURATION OF SUSPENSION.—A suspension under subsection (a) of a contract by a servicemember shall continue for the length of the servicemember's deployment pursuant to the servicemember's military orders.

''(2) PROHIBITION ON SUSPENSION FEES.—

''(A) IN GENERAL.—A service provider under a contract suspended or terminated under subsection (a) by a servicemember may not impose a suspension fee or early termination fee in connection with the suspension or termination of the contract, other than a nominal fee for the suspension.

''(B) EXCEPTION FOR EQUIPMENT MOVING FEE.—The service provider may impose a reasonable fee for any equipment remaining on the premises of the servicemember during the period of the suspension.

''(3) DEFERRAL OF FEES.—The servicemember may defer, without penalty, payment of such a nominal fee or reasonable fee for the length of the servicemember's deployment pursuant to the servicemember's military orders.

''(4) TELEPHONE SERVICE.—In any case in which the contract being suspended under subsection (a) is for cellular telephone service or telephone exchange service, the servicemember, after the date on which the suspension of the contract ends, may keep, to the extent practicable and in accordance with all applicable laws and regulations, the same telephone number the servicemember had before the servicemember suspended the contract.

''(c) COVERED CONTRACTS.—This section applies to a contract for cellular telephone service (including a contract to which the servicemember is included with family members), telephone exchange service, multichannel video programming service, Internet access service, water, electricity, oil, gas, or other utility if the servicemember enters into the contract and thereafter receives military orders—

''(1) to deploy with a military unit, or as an individual, in support of a contingency operation for a period of not less than 90 days; or

''(2) for a change of permanent station to a location that does not support the contract.

''(d) MANNER OF TERMINATION OR SUSPENSION.—

''(1) IN GENERAL.—Termination or suspension of a contract under subsection (a) is made by delivery by the servicemember of written notice of such termination or suspension and a copy of the servicemember's military orders to the other party to the contract (or to that party's grantee or agent).

''(2) NATURE OF NOTICE.—Delivery of notice under paragraph (1) may be accomplished—

''(A) by hand delivery;

''(B) by private business carrier;

''(C) by facsimile; or

''(D) by placing the written notice and a copy of the servicemember's military orders in an envelope with sufficient postage and with return receipt requested, and addressed as designated by the party to be notified (or that party's grantee or agent), and depositing the envelope in the United States mails.

''(e) DATE OF CONTRACT TERMINATION OR SUSPENSION.—Termination or suspension of a service contract under subsection (a) is effective as of the date on which the notice under subsection (d) is delivered.

''(f) OTHER OBLIGATIONS AND LIABILITIES.—The service provider under the contract may not impose an early termination or suspension charge, but any tax or any other obligation or liability of the servicemember that, in accordance with the terms of the contract, is due and unpaid or unperformed at the time of termination or suspension of the contract shall be paid or performed by the servicemember.

''(g) FEES PAID IN ADVANCE.—A fee or amount paid in advance for a period after the effective date of the termination of the contract shall be refunded to the servicemember by the other party (or that party's grantee or agent) not later than 60 days after the effective date of the termination of the contract.

''(h) RELIEF TO OTHER PARTY.—Upon application by the other party to the contract to a court before the termination date provided in the written notice, relief granted by this section to a servicemember may be modified as justice and equity require.

''(i) CRIMINAL PENALTY.—Whoever knowingly violates this section shall be fined not more than $5,000 in the case of an individual or $10,000 in the case of an organization.

''(j) PRIVATE RIGHT OF ACTION.—

''(1) IN GENERAL.—In addition to any other remedies made available elsewhere in this Act, a servicemember harmed by a violation of this section may in a civil action—

''(A) obtain any appropriate equitable relief with respect to the violation; and

''(B) recover an amount equal to three times the damages sustained as a result of the violation.

''(2) COSTS AND ATTORNEY FEES.—The court shall award to a servicemember who prevails in an action under paragraph (1) the costs of the action, including a reasonable attorney fee.

''(3) PRESERVATION OF OTHER REMEDIES.—Nothing in this section shall be construed to preclude or limit any remedy otherwise available under law to the servicemember with respect to conduct prohibited under this section.

''(k) DEFINITIONS.—In this section:

''(1) MULTICHANNEL VIDEO PROGRAMMING SERVICE.—The term 'multichannel video programming service' means video programming service provided by a multichannel video programming distributor, as such term is defined in section 602(13) of the Communications Act of 1934 (47 U.S.C. 522(13)).

''(2) INTERNET ACCESS SERVICE.—The term 'Internet access service' has the meaning given that term under section 231(e)(4) of the Communications Act of 1934 (47 U.S.C. 231(e)(4)).

''(3) CELLULAR TELEPHONE SERVICE.—The term 'cellular telephone service' means commercial mobile service, as that term is defined in section 332(d)(1) of the Communications Act of 1934 (47 U.S.C. 332(d)(1)).

''(4) TELEPHONE EXCHANGE SERVICE.—The term 'telephone exchange service' has the meaning given that term under section 3 of the Communications Act of 1934 (47 U.S.C. 153).''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act (Public

Law 108–109; 117 Stat. 2835) is amended by striking the item relating to section 305A and inserting the following new item:

''Sec. 305A. Termination or suspension of service contracts.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to a contract entered into on or after the date of the enactment of this Act.

(b) VIOLATION OF INTEREST RATE LIMITATION.—Section 207 of such Act (50 U.S.C. 527) is amended—

(1) by amending subsection (e) to read as follows:

''(e) CRIMINAL PENALTY.—

''(1) IN GENERAL.—Whoever knowingly violates this section shall be fined not more than $5,000 in the case of an individual or $10,000 in the case of an organization.

''(2) DETERMINATION OF NUMBER OF VIOLATIONS.—The court shall count as a separate violation each obligation or liability of a servicemember with respect to which—

''(A) the servicemember properly provided to the creditor written notice and a copy of the military orders calling the servicemember to military service and any orders further extending military service under subsection (b); and

''(B) the creditor fails to act in accordance with subsection (a).'';

(2) by redesignating subsection (f) as subsection (g);

(3) by inserting after subsection (e) the following new subsection:

''(f) RIGHTS OF SERVICEMEMBERS.—

''(1) PRIVATE RIGHT OF ACTION.—In addition to any other remedies made available elsewhere in this Act, a servicemember harmed by a violation of this section may in a civil action—

''(A) obtain any appropriate equitable relief with respect to the violation; and

''(B) recover an amount equal to three times the damages sustained as a result of the violation.

''(2) COSTS AND ATTORNEY FEES.—The court shall award to a servicemember who prevails in an action under paragraph (1) the costs of the action, including a reasonable attorney fee.

''(3) PRESERVATION OF OTHER REMEDIES.—Nothing in this section shall be construed to preclude or limit any remedy otherwise available under law to the servicemember with respect to conduct prohibited under this section.''; and

(4) in subsection (g), as redesignated by paragraph (2) of this subsection, by inserting ''and (f)'' after ''subsection (e)''.

(c) CIVIL LIABILITY FOR NONCOMPLIANCE.—

(1) IN GENERAL.—The Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) is further amended by adding at the end the following new title:

''TITLE VIII—CIVIL LIABILITY FOR NONCOMPLIANCE

''SEC. 801. ENFORCEMENT BY THE ATTORNEY GENERAL.

''(a) ENFORCEMENT BY THE ATTORNEY GENERAL.—The Attorney General may commence a civil action in any appropriate United States District Court whenever the Attorney General has reasonable cause to believe—

''(1) that any person or group of persons is engaging in, or has engaged in, a pattern or practice of conduct in violation of any provision of this Act; or

''(2) that any person or group of persons is denying, or has denied, any person or group of persons any protection afforded by any provision of this Act and that such denial raises an issue of general public importance.

''(b) RELIEF THAT MAY BE GRANTED IN CIVIL ACTIONS.—In a civil action under subsection (a), the court—

''(1) may enter any temporary restraining order, temporary or permanent injunction, or other order as may be appropriate;

''(2) may award monetary damages to a servicemember, dependent, or other person protected by any provision of this Act who is harmed by the failure to comply with any provision of this Act, including consequential and punitive damages; and

''(3) may, to vindicate the public interest, assess a civil penalty against each defendant—

''(A) in an amount not exceeding $55,000 for a first violation; and

''(B) in an amount not exceeding $110,000 for any subsequent violation.

''(c) INTERVENTION IN CIVIL ACTIONS.—Upon timely application, a servicemember, dependent, or other person protected by any provision of this Act may intervene in a civil action commenced by the Attorney General that involves an alleged violation of any provision of this Act or a denial of any protection afforded by any provision of this Act with respect to which such person claims to be harmed. The court may grant to any such intervening party appropriate relief as is authorized under subsection (b)(1) or (b)(2). The court may also, in its discretion, grant a prevailing intervening party reasonable attorneys' fees and costs.

''SEC. 802. PRIVATE CAUSES OF ACTION.

''In addition to any other cause of action authorized by any other section of this Act, a servicemember, dependent, or other person protected by any provision of this Act may commence an action in any appropriate United States District Court or in a State court of competent jurisdiction to enforce any requirement imposed or protection afforded by any provision of this Act. The court may grant to any such servicemember, dependent, or person such appropriate relief as is authorized under paragraph (1) or (2) of section 801(b). The court may also, in its discretion, grant a prevailing party reasonable attorneys' fees and costs.

''SEC. 803. PRESERVATION OF OTHER REMEDIES.

''The remedies provided under sections 801 and 802 are in addition to and do not preclude any other causes of action available under Federal or State law or any other remedies otherwise available under Federal or State law, including any award for consequential and punitive damages.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end the following:

''TITLE VIII—CIVIL LIABILITY FOR NONCOMPLIANCE

''Sec. 801. Enforcement by the Attorney General.

''Sec. 802. Private causes of action.

''Sec. 803. Preservation of other remedies.''.

(3) APPLICABILITY.—Title VIII of the Servicemembers Civil Relief Act, as added by paragraph (1), shall apply to any cause of action, claim, or action to enforce the Servicemembers Civil Relief Act, or to seek damages or other relief under any provision of that Act, in progress on the date of the enactment of this Act or that may be brought after such date.

(4) TECHNICAL CORRECTIONS.—Such Act is further amended—

(A) in section 202(d)(1) (50 U.S.C. App. 522(d)(1)), by striking ''affect'' in the first sentence and inserting ''effect''; and

(B) in sections 204(a), 306(c), and 701(c) (50 U.S.C. App. 524(a), 536(c), and 591(c)), by striking ''AFFECT'' in the subsection heading and inserting ''EFFECT''.

SA 1631. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXXI, add the following:

SEC. 3136. CONSIDERATION OF YUCCA MOUNTAIN SITE FOR DISPOSAL OF DEFENSE-RELATED NUCLEAR WASTE.

(a) IN GENERAL.—Any plan developed by any Federal agency with respect to the disposal of defense-related nuclear waste under title I of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10121 et seq.) shall consider—

(1) disposing of such waste by transferring the waste to Yucca Mountain site, Nevada; and

(2) all studies related to the selection of the Yucca Mountain site for the disposal of defense-related nuclear waste.

(b) DEFENSE-RELATED NUCLEAR WASTE DEFINED.—In this section, the term ''defense-related nuclear waste'' means—

(1) transuranic waste;

(2) high-level radioactive waste;

(3) spent nuclear fuel;

(4) special nuclear materials;

(5) greater-than-class C, low-level radioactive waste; and

(6) any other waste arising from the production, storage, or maintenance of nuclear weapons (including components of nuclear weapons).

SA 1632. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 571, strike lines 12 through 18, and insert the following:

SEC. 3104. CERTIFICATION OF SELECTION OF YUCCA MOUNTAIN SITE AND AUTHORIZATION OF APPROPRIATIONS FOR DEFENSE NUCLEAR WASTE DISPOSAL OR STATES STORING DEFENSE-RELATED NUCLEAR WASTE.

(a) CERTIFICATION REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees and publish in the Federal Register a certification that the Yucca Mountain site has been selected as the site for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel in accordance with section 160 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10172).

(b) CONTINGENT AUTHORIZATION OF APPROPRIATIONS FOR DEFENSE NUCLEAR WASTE DISPOSAL.—If the President makes the certification required by subsection (a), there are authorized to be appropriated $98,400,000 for fiscal year 2010 to the Department of Energy for defense nuclear waste disposal for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)).

(c) CONTINGENT AUTHORIZATION OF APPROPRIATIONS FOR STATES STORING DEFENSE-RELATED NUCLEAR WASTE TO BE TRANSFERRED TO THE YUCCA MOUNTAIN SITE.—If the President does not make the certification required by subsection (a) or if the President

revokes that certification after the date referred to in that subsection, there are authorized to be appropriated $98,400,000 for fiscal year 2010 to States that are storing defense-related nuclear waste to be transferred to the Yucca Mountain site, Nevada, to be used in accordance with subsection (d).

(d) USE OF FUNDS.—A State that receives funds pursuant to the authorization of appropriations under subsection (c) shall use such funds—

(1) to help offset the loss in community investments that results from the continued storage of defense-related nuclear waste in the State; and

(2) to help mitigate the public health risks that result from the continued storage of such waste in the State.

(e) DEFENSE-RELATED NUCLEAR WASTE DEFINED.—In this section, the term ''defense-related nuclear waste'' means—

(1) transuranic waste;

(2) high-level radioactive waste;

(3) spent nuclear fuel;

(4) special nuclear materials;

(5) greater-than-class C, low-level radioactive waste; and

(6) any other waste arising from the production, storage, or maintenance of nuclear weapons (including components of nuclear weapons).

SA 1633. Mr. GRAHAM (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 129, between lines 6 and 7, insert the following:

SEC. 537. PILOT PROGRAM FOR MILITARY DEPENDENTS.

(a) DEFINITIONS.—In this section:

(1) ESEA DEFINITIONS.—The terms ''elementary school'', ''parent'', and ''secondary school'' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) ELIGIBLE MILITARY DEPENDENT.—The term ''eligible military dependent'' means a student who—

(A) is a dependent, within the meaning of section 152 of the Internal Revenue Code of 1986, of a member of the Armed Forces on active duty;

(B) is, or will be in the upcoming school year, attending an elementary school or secondary school; and

(C) resides in the National Capital Region (as such term is defined in section 2674(f) of title 10, United States Code).

(b) IN GENERAL.—

(1) PROGRAM AUTHORIZED.—The Secretary of Defense, in collaboration with the Secretary of Education, shall design and carry out a pilot program to provide additional educational options to eligible military dependents and their families by providing the eligible military dependents with scholarships described in subsection (d).

(2) TIMING.—In carrying out this subsection, the Secretary of Defense shall ensure that the pilot program is able to provide such scholarships beginning with the 2010-2011 school year.

(c) APPLICATIONS.—A parent of an eligible military dependent that desires to participate in the pilot program under this section shall submit an application to the Secretary of Defense at such time, in such manner, and containing such information as the Secretary may require.

(d) SCHOLARSHIPS.—

(1) IN GENERAL.—A scholarship awarded under this section shall be used by a parent of an eligible military dependent to pay the tuition, fees, and transportation expenses, if any, for the eligible military dependent to attend a private elementary school or secondary school, or a public charter school in a school district other than the school district in which the student resides, of the parent's choice.

(2) PAYMENTS TO PARENTS.—The Secretary of Defense shall make scholarship payments under this section to the parent of the eligible military dependent in a manner which ensures that such payments will be used for the payment of tuition, fees, and transportation expenses, if any, in accordance with this section.

(3) AMOUNT OF PAYMENTS.—The amount of assistance provided for an eligible military dependent under this section may not exceed $7,500 for any school year.

(e) RULE OF CONSTRUCTION.—A scholarship provided under this section shall be considered assistance to the eligible military dependent and shall not be considered assistance to the school that enrolls the eligible military dependent. The amount of any scholarship under this section shall not be treated as income of the parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

(f) REPORTS.—The Secretary of Defense shall prepare and submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, and make available to the public—

(1) an initial report on the results of the pilot program under this section, by not later than September 30, 2011; and

(2) a final report on the results of the pilot program under this section, by not later than September 30, 2015.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section not less than $20,000,000 for fiscal year 2011 and for each of the 4 succeeding fiscal years.

SA 1634. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 201, after line 25, add the following:

SEC. 652. SENSE OF CONGRESS ON AIRFARES FOR MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—Congress makes the following findings:

(1) The Armed Forces is comprised of over 1,450,000 active-duty members from every State and territory of the United States who are assigned to thousands of installations, stations, and ships worldwide and who oftentimes must travel long distances by air at their own expense to enjoy the benefits of leave and liberty.

(2) The United States is indebted to the members of the all volunteer Armed Forces and their families who protect our Nation, often experiencing long separations due to the demands of military service and in life threatening circumstances.

(3) Military service often precludes long range planning for leave and liberty to provide opportunities for reunions and recreation with loved ones and requires changes in planning due to military necessity which results in last minute changes in planning.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) all United States commercial carriers should seek to lend their support with flexible, generous policies applicable to members of the Armed Forces who are traveling on leave or liberty at their own expense; and

(2) each United States air carrier, for all members of the Armed Forces who have been granted leave or liberty and who are traveling by air at their own expense, should—

(A) seek to provide reduced air fares that are comparable to the lowest airfare for ticketed flights and that eliminate to the maximum extent possible advance purchase requirements;

(B) seek to eliminate change fees or charges and any penalties for military personnel;

(C) seek to eliminate or reduce baggage and excess weight fees;

(D) offer flexible terms that allow members of the Armed Forces on active duty to purchase, modify, or cancel tickets without time restrictions, and to waive fees (including baggage fees), ancillary costs, or penalties; and

(E) seek to take proactive measures to ensure that all airline employees, particularly those who issue tickets and respond to members of the Armed Forces and their family members are trained in the policies of the airline aimed at benefitting members of the Armed Forces who are on leave.

SA 1635. Mr. SCHUMER (for himself, Mr. CHAMBLISS, Mr. NELSON of Nebraska, Mr. BENNETT, Mr. CORNYN, Mr. ISAKSON, Ms. CANTWELL, Mrs. SHAHEEN, Mr. BURRIS, Mr. VITTER, Mr. CASEY, Mr. PRYOR, Mr. BYRD, Mr. UDALL of New Mexico, Mrs. FEINSTEIN, Mr. DURBIN, Mrs. MURRAY, Mr. WARNER, Mrs. HUTCHISON, Mr. ALEXANDER, Mr. CONRAD, Mr. BROWNBACK, Mr. SPECTER, Mr. WICKER, Mr. BURR, Mr. LIEBERMAN, Mr. ROBERTS, Mr. RISCH, Mrs. LINCOLN, Mr. THUNE, Mr. BOND, Mr. BAYH, Mr. NELSON of Florida, Mr. FRANKEN, Mr. ENSIGN, Mr. LEAHY, Mr. KENNEDY, Mr. WYDEN, Mr. CARDIN, Mr. BEGICH, Mrs. GILLIBRAND, Mr. INHOFE, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 166, before line 18, insert the following:

Subtitle H—Military Voting

SEC. 581. SHORT TITLE.

This subtitle may be cited as the ''Military and Overseas Voter Empowerment Act''.

SEC. 582. FINDINGS.

Congress makes the following findings:

(1) The right to vote is a fundamental right.

(2) Due to logistical, geographical, operational and environmental barriers, military and overseas voters are burdened by many obstacles that impact their right to vote and register to vote, the most critical of which

include problems transmitting balloting materials and not being given enough time to vote.

(3) States play an essential role in facilitating the ability of military and overseas voters to register to vote and have their ballots cast and counted, especially with respect to timing and improvement of absentee voter registration and absentee ballot procedures.

(4) The Department of Defense educates military and overseas voters of their rights under the Uniformed and Overseas Citizens Absentee Voting Act and plays an indispensable role in facilitating the procedural channels that allow military and overseas voters to have their votes count.

(5) The local, State, and Federal Government entities involved with getting ballots to military and overseas voters must work in conjunction to provide voter registration services and balloting materials in a secure and expeditious manner.

SEC. 583. CLARIFICATION REGARDING DELEGATION OF STATE RESPONSIBILITIES.

A State may delegate its responsibilities in carrying out the requirements under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) imposed as a result of the provisions of and amendments made by this Act to jurisdictions of the State.

SEC. 584. ESTABLISHMENT OF PROCEDURES FOR ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS TO REQUEST AND FOR STATES TO SEND VOTER REGISTRATION APPLICATIONS AND ABSENTEE BALLOT APPLICATIONS BY MAIL AND ELECTRONICALLY.

(a) IN GENERAL.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1) is amended—

(1) in subsection (a)—

(A) in paragraph (4), by striking ''and'' at the end;

(B) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(6) in addition to any other method of registering to vote or applying for an absentee ballot in the State, establish procedures—

''(A) for absent uniformed services voters and overseas voters to request by mail and electronically voter registration applications and absentee ballot applications with respect to general, special, primary, and runoff elections for Federal office in accordance with subsection (e);

''(B) for States to send by mail and electronically (in accordance with the preferred method of transmission designated by the absent uniformed services voter or overseas voter under subparagraph (C)) voter registration applications and absentee ballot applications requested under subparagraph (A) in accordance with subsection (e); and

''(C) by which the absent uniformed services voter or overseas voter can designate whether they prefer for such voter registration application or absentee ballot application to be transmitted by mail or electronically.''; and

(2) by adding at the end the following new subsection:

''(e) DESIGNATION OF MEANS OF ELECTRONIC COMMUNICATION FOR ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS TO REQUEST AND FOR STATES TO SEND VOTER REGISTRATION APPLICATIONS AND ABSENTEE BALLOT APPLICATIONS, AND FOR OTHER PURPOSES RELATED TO VOTING INFORMATION.—

''(1) IN GENERAL.—Each State shall, in addition to the designation of a single State office under subsection (b), designate not less than 1 means of electronic communication—

''(A) for use by absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State to request voter registration applications and absentee ballot applications under subsection (a)(6);

''(B) for use by States to send voter registration applications and absentee ballot applications requested under such subsection; and

''(C) for the purpose of providing related voting, balloting, and election information to absent uniformed services voters and overseas voters.

''(2) CLARIFICATION REGARDING PROVISION OF MULTIPLE MEANS OF ELECTRONIC COMMUNICATION.—A State may, in addition to the means of electronic communication so designated, provide multiple means of electronic communication to absent uniformed services voters and overseas voters, including a means of electronic communication for the appropriate jurisdiction of the State.

''(3) INCLUSION OF DESIGNATED MEANS OF ELECTRONIC COMMUNICATION WITH INFORMATIONAL AND INSTRUCTIONAL MATERIALS THAT ACCOMPANY BALLOTING MATERIALS.—Each State shall include a means of electronic communication so designated with all informational and instructional materials that accompany balloting materials sent by the State to absent uniformed services voters and overseas voters.

''(4) AVAILABILITY AND MAINTENANCE OF ONLINE REPOSITORY OF STATE CONTACT INFORMATION.—The Federal Voting Assistance Program of the Department of Defense shall maintain and make available to the public an online repository of State contact information with respect to elections for Federal office, including the single State office designated under subsection (b) and the means of electronic communication designated under paragraph (1), to be used by absent uniformed services voters and overseas voters as a resource to send voter registration applications and absentee ballot applications to the appropriate jurisdiction in the State.

''(5) TRANSMISSION IF NO PREFERENCE INDICATED.—In the case where an absent uniformed services voter or overseas voter does not designate a preference under subsection (a)(6)(C), the State shall transmit the voter registration application or absentee ballot application by any delivery method allowable in accordance with applicable State law, or if there is no applicable State law, by mail.

''(6) SECURITY AND PRIVACY PROTECTIONS.—

''(A) SECURITY PROTECTIONS.—To the extent practicable, States shall ensure that the procedures established under subsection (a)(6) protect the security and integrity of the voter registration and absentee ballot application request processes.

''(B) PRIVACY PROTECTIONS.—To the extent practicable, the procedures established under subsection (a)(6) shall ensure that the privacy of the identity and other personal data of an absent uniformed services voter or overseas voter who requests or is sent a voter registration application or absentee ballot application under such subsection is protected throughout the process of making such request or being sent such application.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 585. ESTABLISHMENT OF PROCEDURES FOR STATES TO TRANSMIT BLANK ABSENTEE BALLOTS BY MAIL AND ELECTRONICALLY TO ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS.

(a) IN GENERAL.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1), as amended by section 584, is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(7) in addition to any other method of transmitting blank absentee ballots in the State, establish procedures for transmitting by mail and electronically blank absentee ballots to absent uniformed services voters and overseas voters with respect to general, special, primary, and runoff elections for Federal office in accordance with subsection (f).''; and

(2) by adding at the end the following new subsection:

''(f) TRANSMISSION OF BLANK ABSENTEE BALLOTS BY MAIL AND ELECTRONICALLY.—

''(1) IN GENERAL.—Each State shall establish procedures—

''(A) to transmit blank absentee ballots by mail and electronically (in accordance with the preferred method of transmission designated by the absent uniformed services voter or overseas voter under subparagraph (B)) to absent uniformed services voters and overseas voters for an election for Federal office; and

''(B) by which the absent uniformed services voter or overseas voter can designate whether they prefer for such blank absentee ballot to be transmitted by mail or electronically.

''(2) TRANSMISSION IF NO PREFERENCE INDICATED.—In the case where an absent uniformed services voter or overseas voter does not designate a preference under paragraph (1)(B), the State shall transmit the ballot by any delivery method allowable in accordance with applicable State law, or if there is no applicable State law, by mail.

''(3) SECURITY AND PRIVACY PROTECTIONS.—

''(A) SECURITY PROTECTIONS.—To the extent practicable, States shall ensure that the procedures established under subsection (a)(7) protect the security and integrity of absentee ballots.

''(B) PRIVACY PROTECTIONS.—To the extent practicable, the procedures established under subsection (a)(7) shall ensure that the privacy of the identity and other personal data of an absent uniformed services voter or overseas voter to whom a blank absentee ballot is transmitted under such subsection is protected throughout the process of such transmission.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 586. ENSURING ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS HAVE TIME TO VOTE.

(a) IN GENERAL.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1(a)(1)), as amended by section 585, is amended—

(1) in subsection (a)—

(A) in paragraph (6), by striking ''and'' at the end;

(B) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraph:

''(8) transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter—

''(A) except as provided in subsection (g), in the case where the request is received at least 45 days before an election for Federal office, not later than 45 days before the election; and

''(B) in the case where the request is received less than 45 days before an election for Federal office—

''(i) in accordance with State law; and

''(ii) if practicable and as determined appropriate by the State, in a manner that expedites the transmission of such absentee ballot.''.

(2) by adding at the end the following new subsection:

''(g) HARDSHIP EXEMPTION.—

''(1) IN GENERAL.—If the chief State election official determines that the State is unable to meet the requirement under subsection (a)(8)(A) with respect to an election for Federal office due to an undue hardship described in paragraph (2)(B), the chief State election official shall request that the Presidential designee grant a waiver to the State of the application of such subsection. Such request shall include—

''(A) a recognition that the purpose of such subsection is to allow absent uniformed services voters and overseas voters enough time to vote in an election for Federal office;

''(B) an explanation of the hardship that indicates why the State is unable to transmit absent uniformed services voters and overseas voters an absentee ballot in accordance with such subsection;

''(C) the number of days prior to the election for Federal office that the State requires absentee ballots be transmitted to absent uniformed services voters and overseas voters; and

''(D) a comprehensive plan to ensure that absent uniformed services voters and overseas voters are able to receive absentee ballots which they have requested and submit marked absentee ballots to the appropriate State election official in time to have that ballot counted in the election for Federal office, which includes—

''(i) the steps the State will undertake to ensure that absent uniformed services voters and overseas voters have time to receive, mark, and submit their ballots in time to have those ballots counted in the election;

''(ii) why the plan provides absent uniformed services voters and overseas voters sufficient time to vote as a substitute for the requirements under such subsection; and

''(iii) the underlying factual information which explains how the plan provides such sufficient time to vote as a substitute for such requirements.

''(2) APPROVAL OF WAIVER REQUEST.—After consulting with the Attorney General, the Presidential designee shall approve a waiver request under paragraph (1) if the Presidential designee determines each of the following requirements are met:

''(A) The comprehensive plan under subparagraph (D) of such paragraph provides absent uniformed services voters and overseas voters sufficient time to receive absentee ballots they have requested and submit marked absentee ballots to the appropriate State election official in time to have that ballot counted in the election for Federal office.

''(B) One or more of the following issues creates an undue hardship for the State:

''(i) The State's primary election date prohibits the State from complying with subsection (a)(8)(A).

''(ii) The State has suffered a delay in generating ballots due to a legal contest.

''(iii) The State Constitution prohibits the State from complying with such subsection.

''(3) TIMING OF WAIVER.—

''(A) IN GENERAL.—Except as provided under subparagraph (B), a State that requests a waiver under paragraph (1) shall submit to the Presidential designee the written waiver request not later than 90 days before the election for Federal office with respect to which the request is submitted. The Presidential designee shall approve or deny the waiver request not later than 65 days before such election.

''(B) EXCEPTION.—If a State requests a waiver under paragraph (1) as the result of an undue hardship described in paragraph (2)(B)(ii), the State shall submit to the Presidential designee the written waiver request as soon as practicable. The Presidential designee shall approve or deny the waiver request not later than 5 business days after the date on which the request is received.

''(4) APPLICATION OF WAIVER.—A waiver approved under paragraph (2) shall only apply with respect to the election for Federal office for which the request was submitted. For each subsequent election for Federal office, the Presidential designee shall only approve a waiver if the State has submitted a request under paragraph (1) with respect to such election.''.

(b) RUNOFF ELECTIONS.—Section 102(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1(a)), as amended by subsection (a), is amended—

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(9) if the State declares or otherwise holds a runoff election for Federal office, establish a written plan that provides absentee ballots are made available to absent uniformed services voters and overseas voters in manner that gives them sufficient time to vote in the runoff election.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 587. PROCEDURES FOR COLLECTION AND DELIVERY OF MARKED ABSENTEE BALLOTS OF ABSENT OVERSEAS UNIFORMED SERVICES VOTERS.

(a) IN GENERAL.—The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) is amended by inserting after section 103 the following new section:

''SEC. 103A. PROCEDURES FOR COLLECTION AND DELIVERY OF MARKED ABSENTEE BALLOTS OF ABSENT OVERSEAS UNIFORMED SERVICES VOTERS.

''(a) ESTABLISHMENT OF PROCEDURES.—The Presidential designee shall establish procedures for collecting marked absentee ballots of absent overseas uniformed services voters in regularly scheduled general elections for Federal office, including absentee ballots prepared by States and the Federal write-in absentee ballot prescribed under section 103, and for delivering such marked absentee ballots to the appropriate election officials.

''(b) DELIVERY TO APPROPRIATE ELECTION OFFICIALS.—

''(1) IN GENERAL.—Under the procedures established under this section, the Presidential designee shall implement procedures that facilitate the delivery of marked absentee ballots of absent overseas uniformed services voters for regularly scheduled general elections for Federal office to the appropriate election officials, in accordance with this section, not later than the date by which an absentee ballot must be received in order to be counted in the election.

''(2) COOPERATION AND COORDINATION WITH THE UNITED STATES POSTAL SERVICE.—The Presidential designee shall carry out this section in cooperation and coordination with the United States Postal Service, and shall provide expedited mail delivery service for all such marked absentee ballots of absent uniformed services voters that are collected on or before the deadline described in paragraph (3) and then transferred to the United States Postal Service.

''(3) DEADLINE DESCRIBED.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the deadline described in this paragraph is noon (in the location in which the ballot is collected) on the seventh day preceding the date of the regularly scheduled general election for Federal office.

''(B) AUTHORITY TO ESTABLISH ALTERNATIVE DEADLINE FOR CERTAIN LOCATIONS.—If the Presidential designee determines that the deadline described in subparagraph (A) is not sufficient to ensure timely delivery of the ballot under paragraph (1) with respect to a particular location because of remoteness or other factors, the Presidential designee may establish as an alternative deadline for that location the latest date occurring prior to the deadline described in subparagraph (A) which is sufficient to provide timely delivery of the ballot under paragraph (1).

''(4) NO POSTAGE REQUIREMENT.—In accordance with section 3406 of title 39, United States Code, such marked absentee ballots and other balloting materials shall be carried free of postage.

''(5) DATE OF MAILING.—Such marked absentee ballots shall be postmarked with a record of the date on which the ballot is mailed.

''(c) OUTREACH FOR ABSENT OVERSEAS UNIFORMED SERVICES VOTERS ON PROCEDURES.—The Presidential designee shall take appropriate actions to inform individuals who are anticipated to be absent overseas uniformed services voters in a regularly scheduled general election for Federal office to which this section applies of the procedures for the collection and delivery of marked absentee ballots established pursuant to this section, including the manner in which such voters may utilize such procedures for the submittal of marked absentee ballots pursuant to this section.

''(d) REPORTS ON UTILIZATION OF PROCEDURES.—

''(1) REPORTS REQUIRED.—Not later than 180 days after each regularly scheduled general election for Federal office to which this section applies, the Presidential designee shall submit to the relevant committees of Congress a report on the utilization of the procedures for the collection and delivery of marked absentee ballots established pursuant to this section during such election.

''(2) ELEMENTS.—Each report under paragraph (1) shall include, for the general election covered by such report, a description of the utilization of the procedures described in that paragraph during such general election, including the number of marked absentee ballots collected and delivered under such procedures and the number of such ballots which were not delivered by the time of the closing of the polls on the date of the election (and the reasons such ballots were not so delivered).

''(3) RELEVANT COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term 'relevant committees of Congress' means—

''(A) the Committees on Appropriations, Armed Services, and Rules and Administration of the Senate; and

''(B) the Committees on Appropriations, Armed Services, and House Administration of the House of Representatives.

''(e) ABSENT OVERSEAS UNIFORMED SERVICES VOTER DEFINED.—In this section, the term 'absent overseas uniformed services voter' means an overseas voter described in section 107(5)(A).

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Presidential designee such sums as may be necessary to carry out this section.''.

(b) CONFORMING AMENDMENT.—Section 101(b) of such Act (42 U.S.C. 1973ff(b)) is amended—

(1) by striking ''and'' at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(8) carry out section 103A with respect to the collection and delivery of marked absentee ballots of absent overseas uniformed services voters in elections for Federal office.''.

(c) STATE RESPONSIBILITIES.—Section 102(a) of such Act (42 U.S.C. 1973ff–1(a)), as amended by section 586, is amended—

(1) in paragraph (8), by striking ''and'' at the end;

(2) in paragraph (9), by striking the period at the end and inserting ''; and''; and

(3) by adding the following new paragraph:

''(10) carry out section 103A(b)(1) with respect to the processing and acceptance of marked absentee ballots of absent overseas uniformed services voters.''.

(d) TRACKING MARKED BALLOTS.—Section 102 of such Act (42 U.S.C. 1973ff–1(a)), as amended by section 586, is amended by adding at the end the following new subsection:

''(h) TRACKING MARKED BALLOTS.—The chief State election official, in coordination with local election jurisdictions, shall develop a free access system by which an absent uniformed services voter or overseas voter may determine whether the absentee ballot of the absent uniformed services voter or overseas voter has been received by the appropriate State election official.''.

(e) REPORT ON STATUS OF IMPLEMENTATION.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the individual designated under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(a)) shall submit to the relevant committees of Congress a report on the status of the implementation of the procedures established for the collection and delivery of marked absentee ballots of absent overseas uniformed services voters under section 103A of such Act, as added by subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include a status of the implementation of such procedures and a detailed description of the specific steps taken towards such implementation for the regularly scheduled general election for Federal office held in November 2010.

(3) RELEVANT COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''relevant committees of Congress'' has the meaning given such term in section 103A(d)(3) of the Uniformed and Overseas Citizens Absentee Voting Act, as added by subsection (a).

(f) PROTECTING VOTER PRIVACY AND SECRECY OF ABSENTEE BALLOTS.—Section 101(b) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(b)), as amended by subsection (b), is amended—

(1) by striking ''and'' at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(9) to the greatest extent practicable, take such actions as may be necessary—

''(A) to ensure that absent uniformed services voters who cast absentee ballots at locations or facilities under the jurisdiction of the Presidential designee are able to do so in a private and independent manner; and

''(B) to protect the privacy of the contents of absentee ballots cast by absentee uniformed services voters and overseas voters while such ballots are in the possession or control of the Presidential designee.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 588. FEDERAL WRITE-IN ABSENTEE BALLOT.

(a) USE IN GENERAL, SPECIAL, PRIMARY, AND RUNOFF ELECTIONS FOR FEDERAL OFFICE.—

(1) IN GENERAL.—Section 103 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–2) is amended—

(A) in subsection (a), by striking ''general elections for Federal office'' and inserting ''general, special, primary, and runoff elections for Federal office'';

(B) in subsection (e), in the matter preceding paragraph (1), by striking ''a general election'' and inserting ''a general, special, primary, or runoff election for Federal office''; and

(C) in subsection (f), by striking ''the general election'' each place it appears and inserting ''the general, special, primary, or runoff election for Federal office''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on December 31, 2010, and apply with respect to elections for Federal office held on or after such date.

(b) PROMOTION AND EXPANSION OF USE.—Section 103(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–2) is amended—

(1) by striking ''GENERAL.—The Presidential'' and inserting ''GENERAL.—

''(1) FEDERAL WRITE-IN ABSENTEE BALLOT.—The Presidential''; and

(2) by adding at the end the following new paragraph:

''(2) PROMOTION AND EXPANSION OF USE OF FEDERAL WRITE-IN ABSENTEE BALLOTS.—

''(A) IN GENERAL.—Not later than December 31, 2011, the Presidential designee shall adopt procedures to promote and expand the use of the Federal write-in absentee ballot as a back-up measure to vote in elections for Federal office.

''(B) USE OF TECHNOLOGY.—Under such procedures, the Presidential designee shall utilize technology to implement a system under which the absent uniformed services voter or overseas voter may—

''(i) enter the address of the voter or other information relevant in the appropriate jurisdiction of the State, and the system will generate a list of all candidates in the election for Federal office in that jurisdiction; and

''(ii) submit the marked Federal write-in absentee ballot by printing the ballot (including complete instructions for submitting the marked Federal write-in absentee ballot to the appropriate State election official and the mailing address of the single State office designated under section 102(b)).

''(C) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Presidential designee such sums as may be necessary to carry out this paragraph.''.

SEC. 589. PROHIBITING REFUSAL TO ACCEPT VOTER REGISTRATION AND ABSENTEE BALLOT APPLICATIONS, MARKED ABSENTEE BALLOTS, AND FEDERAL WRITE-IN ABSENTEE BALLOTS FOR FAILURE TO MEET CERTAIN REQUIREMENTS.

(a) VOTER REGISTRATION AND ABSENTEE BALLOT APPLICATIONS.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1), as amended by section 587, is amended by adding at the end the following new subsection:

''(i) PROHIBITING REFUSAL TO ACCEPT APPLICATIONS FOR FAILURE TO MEET CERTAIN REQUIREMENTS.—A State shall not refuse to accept and process any otherwise valid voter registration application or absentee ballot application (including the official post card form prescribed under section 101) or marked absentee ballot submitted in any manner by an absent uniformed services voter or overseas voter solely on the basis of the following:

''(1) Notarization requirements.

''(2) Restrictions on paper type, including weight and size.

''(3) Restrictions on envelope type, including weight and size.''.

(b) FEDERAL WRITE-IN ABSENTEE BALLOT.—Section 103 of such Act (42 U.S.C. 1973ff–2) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

''(f) PROHIBITING REFUSAL TO ACCEPT BALLOT FOR FAILURE TO MEET CERTAIN REQUIREMENTS.—A State shall not refuse to accept and process any otherwise valid Federal write-in absentee ballot submitted in any manner by an absent uniformed services voter or overseas voter solely on the basis of the following:

''(1) Notarization requirements.

''(2) Restrictions on paper type, including weight and size.

''(3) Restrictions on envelope type, including weight and size.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 590. FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.

(a) FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.—

(1) IN GENERAL.—The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.), as amended by section 587, is amended by inserting after section 103A the following new section:

''SEC. 103B. FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.

''(a) DUTIES.—The Presidential designee shall carry out the following duties:

''(1) Develop online portals of information to inform absent uniformed services voters regarding voter registration procedures and absentee ballot procedures to be used by such voters with respect to elections for Federal office.

''(2) Establish a program to notify absent uniformed services voters of voter registration information and resources, the availability of the Federal postcard application, and the availability of the Federal write-in absentee ballot on the military Global Network, and shall use the military Global Network to notify absent uniformed services voters of the foregoing 90, 60, and 30 days prior to each election for Federal office.

''(3) Not later than December 31 of each year, transmit to the President and to Congress a report on the effectiveness of activities carried out under this section, including the activities and actions of the Federal Voting Assistance Program of the Department of Defense, a separate assessment of voter registration and participation by absent uniformed overseas voters, a separate assessment of voter registration and participation by overseas voters who are not members of the uniformed services, and a description of the cooperation between the States and the Federal Government in carrying out this section.

''(b) ASSESSMENT OF EFFECTIVENESS OF VOTING ASSISTANCE OFFICER PROGRAM.—Not later than 90 days after the date of enactment of this subsection, the Presidential designee shall submit to Congress a report containing the following:

''(1) A thorough and complete assessment of whether the Voting Assistance Officer Program of the Department of Defense, as configured and implemented as of such date of enactment, is effectively assisting members of the Armed Forces in exercising their right to vote.

''(2) An inventory and explanation of any areas of voter assistance in which such Program has failed to accomplish its stated objectives and effectively assist members of the Armed Forces in exercising their right to vote.

''(3) A detailed plan for the implementation of a new program to replace such Program and supplement, as needed, voter assistance activities required to be performed under this section.

''(c) CLARIFICATION REGARDING OTHER DUTIES AND OBLIGATIONS.—Nothing in this section shall relieve the Presidential designee of their duties and obligations under any directives or regulations issued by the Department of Defense, including the Department of Defense Directive 1000.04 (or any successor directive or regulation) that is not inconsistent or contradictory to the provisions of this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Federal Voting Assistance Program of the Department of Defense (or a successor program) such sums as are necessary for purposes of carrying out this section.''.

(2) CONFORMING AMENDMENTS.—Section 101 of such Act (42 U.S.C. 1973ff), as amended by section 587, is amended—

(A) in subparagraph (b)—

(i) by striking ''and'' at the end of paragraph (8);

(ii) by striking the period at the end of paragraph (9) and inserting ''; and''; and

(iii) by adding at the end the following new paragraph:

''(10) carry out section 103B with respect to Federal Voting Assistance Program Improvements.''; and

(B) by adding at the end the following new subsection:

''(d) AUTHORIZATION OF APPROPRIATIONS FOR CARRYING OUT FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.—There are authorized to be appropriated to the Presidential designee such sums as are necessary for purposes of carrying out subsection (b)(10).''.

(b) VOTER REGISTRATION ASSISTANCE FOR ABSENT UNIFORMED SERVICES VOTERS.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1), as amended by section 589, is amended by adding at the end the following new subsection:

''(j) VOTER REGISTRATION ASSISTANCE FOR ABSENT UNIFORMED SERVICES VOTERS.—

''(1) DESIGNATING AN OFFICE AS A VOTER REGISTRATION AGENCY ON EACH INSTALLATION OF THE ARMED FORCES.—Not later than 180 days after the date of enactment of this subsection, each Secretary of a military department shall take appropriate actions to designate an office on each installation of the Armed Forces under the jurisdiction of such Secretary (excluding any installation in a theater of combat), consistent across every installation of the department of the Secretary concerned, to provide each individual described in paragraph (3)—

''(A) written information on voter registration procedures and absentee ballot procedures (including the official post card form prescribed under section 101);

''(B) the opportunity to register to vote in an election for Federal office;

''(C) the opportunity to update the individual's voter registration information, including clear written notice and instructions for the absent uniformed services voter to change their address by submitting the official post card form prescribed under section 101 to the appropriate State election official; and

''(D) the opportunity to request an absentee ballot under this Act.

''(2) DEVELOPMENT OF PROCEDURES.—Each Secretary of a military department shall develop, in consultation with each State and the Presidential designee, the procedures necessary to provide the assistance described in paragraph (1).

''(3) INDIVIDUALS DESCRIBED.—The following individuals are described in this paragraph:

''(A) An absent uniformed services voter—

''(i) who is undergoing a permanent change of duty station;

''(ii) who is deploying overseas for at least 6 months;

''(iii) who is or returning from an overseas deployment of at least 6 months; or

''(iv) who at any time requests assistance related to voter registration.

''(B) All other absent uniformed services voters (as defined in section 107(1)).

''(4) TIMING OF PROVISION OF ASSISTANCE.—The assistance described in paragraph (1) shall be provided to an absent uniformed services voter—

''(A) described in clause (i) of paragraph (3)(A), as part of the administrative in-processing of the member upon arrival at the new duty station of the absent uniformed services voter;

''(B) described in clause (ii) of such paragraph, as part of the administrative in-processing of the member upon deployment from the home duty station of the absent uniformed services voter;

''(C) described in clause (iii) of such paragraph, as part of the administrative in-processing of the member upon return to the home duty station of the absent uniformed services voter;

''(D) described in clause (iv) of such paragraph, at any time the absent uniformed services voter requests such assistance; and

''(E) described in paragraph (3)(B), at any time the absent uniformed services voter requests such assistance.

''(5) PAY, PERSONNEL, AND IDENTIFICATION OFFICES OF THE DEPARTMENT OF DEFENSE.—The Secretary of Defense may designate pay, personnel, and identification offices of the Department of Defense for persons to apply to register to vote, update the individual's voter registration information, and request an absentee ballot under this Act.

''(6) TREATMENT OF OFFICES DESIGNATED AS VOTER REGISTRATION AGENCIES.—An office designated under paragraph (1) or (5) shall be considered to be a voter registration agency designated under section 7(a)(2) of the National Voter Registration Act of 1993 for all purposes of such Act.

''(7) OUTREACH TO ABSENT UNIFORMED SERVICES VOTERS.—The Secretary of each military department or the Presidential designee shall take appropriate actions to inform absent uniformed services voters of the assistance available under this subsection including—

''(A) the availability of voter registration assistance at offices designated under paragraphs (1) and (5); and

''(B) the time, location, and manner in which an absent uniformed voter may utilize such assistance.

''(8) REPORTS.—

''(A) REPORT ON STATUS OF IMPLEMENTATION.—

''(i) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this subsection, the Secretary of each military department or the Presidential designee shall submit to the relevant committees of Congress a report on the status of the implementation of this subsection.

''(ii) ELEMENTS.—The report under clause (i) shall include a detailed description of the specific steps taken towards the implementation of this subsection, including the designation of offices under paragraphs (1) and (5).

''(B) REPORT ON UTILIZATION OF VOTER REGISTRATION ASSISTANCE.—

''(i) REPORTS REQUIRED.—Not later than 1 year after the date of the enactment of this subsection, the Secretary of each military department or the Presidential designee shall submit to the relevant committees of Congress a report on the utilization of voter registration assistance provided under this subsection.

''(ii) ELEMENTS.—The report under clause (i) shall include—

''(I) a description of the specific programs implemented by each military department of the Armed Forces pursuant to this subsection; and

''(II) the number of absent uniformed services voters who utilized voter registration assistance provided under this section.

''(9) DEFINITIONS.—In this subsection:

''(A) MILITARY DEPARTMENT AND SECRETARY CONCERNED.—The terms 'military department' and 'Secretary concerned' have the meaning given such terms in paragraphs (8) and (9), respectively, of section 101 of title 10, United States Code.

''(B) RELEVANT COMMITTEES OF CONGRESS.—The term 'relevant committees of Congress' means—

''(i) the Committees on Appropriations, Armed Services, and Rules and Administration of the Senate; and

''(ii) the Committees on Appropriations, Armed Services, and House Administration of the House of Representatives.

''(10) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 591. DEVELOPMENT OF STANDARDS FOR REPORTING AND STORING CERTAIN DATA.

(a) IN GENERAL.—Section 101(b) of such Act (42 U.S.C. 1973ff(b)), as amended by section 590, is amended—

(1) by striking ''and'' at the end of paragraph (9);

(2) by striking the period at the end of paragraph (10) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(11) working with the Election Assistance Commission and the chief State election official of each State, develop standards—

''(A) for States to report data on the number of absentee ballots transmitted and received under section 102(c) and such other data as the Presidential designee determines appropriate; and

''(B) for the Presidential designee to store the data reported.''.

(b) CONFORMING AMENDMENT.—Section 102(a) of such Act (42 U.S.C. 1973ff–1(a)), as amended by section 587, is amended—

(1) in paragraph (9), by striking ''and'' at the end;

(2) in paragraph (10), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(11) report data on the number of absentee ballots transmitted and received under section 102(c) and such other data as the Presidential designee determines appropriate in accordance with the standards developed by the Presidential designee under section 101(b)(11).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.

SEC. 592. REPEAL OF PROVISIONS RELATING TO USE OF SINGLE APPLICATION FOR ALL SUBSEQUENT ELECTIONS.

(a) IN GENERAL.—Subsections (a) through (d) of section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–3) are repealed.

(b) CONFORMING AMENDMENTS.—The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) is amended—

(1) in section 101(b)—

(A) in paragraph (2), by striking '', for use by States in accordance with section 104''; and

(B) in paragraph (4), by striking ''for use by States in accordance with section 104''; and

(2) in section 104, as amended by subsection (a)—

(A) in the section heading, by striking ''**USE OF SINGLE APPLICATION FOR ALL SUBSEQUENT ELECTIONS**'' and inserting ''**PROHIBITION OF REFUSAL OF APPLICATIONS ON GROUNDS OF EARLY SUBMISSION**''; and

(B) in subsection (e), by striking ''(e) PROHIBITION OF REFUSAL OF APPLICATIONS ON GROUNDS OF EARLY SUBMISSION.—''.

SEC. 593. ANNUAL REPORT ON ENFORCEMENT.

Section 105 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973f–4) is amended—

(1) by striking ''The Attorney'' and inserting ''(a) IN GENERAL.—The Attorney''; and

(2) by adding at the end the following new subsection:

''(b) REPORT TO CONGRESS.—Not later than December 31 of each year, the Attorney General shall submit to Congress an annual report on any civil action brought under subsection (a) during the preceding year.''.

SEC. 594. REQUIREMENTS PAYMENTS.

(a) USE OF FUNDS.—Section 251(b) of the Help America Vote Act of 2002 (42 U.S.C. 15401(b)) is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(2) by adding at the end the following new paragraph:

''(3) ACTIVITIES UNDER UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.—A State shall use a requirements payment made using funds appropriated pursuant to the authorization under section 257(4) only to meet the requirements under the Uniformed and Overseas Citizens Absentee Voting Act imposed as a result of the provisions of and amendments made by the Military and Overseas Voter Empowerment Act.''.

(b) REQUIREMENTS.—

(1) STATE PLAN.—Section 254(a) of the Help America Vote Act of 2002 (42 U.S.C. 15404(a)) is amended by adding at the end the following new paragraph:

''(14) How the State plan will comply with the provisions and requirements of and amendments made by the Military and Overseas Voter Empowerment Act.''.

(2) CONFORMING AMENDMENTS.—Section 253(b) of the Help America Vote Act of 2002 (42 U.S.C. 15403(b)) is amended—

(A) in paragraph (1)(A), by striking ''section 254'' and inserting ''subsection (a) of section 254 (or, in the case where a State is seeking a requirements payment made using funds appropriated pursuant to the authorization under section 257(4), paragraph (14) of section 254)''; and

(B) in paragraph (2)—

(i) by striking ''(2) The State'' and inserting ''(2)(A) Subject to subparagraph (B), the State''; and

(ii) by inserting after subparagraph (A), as added by clause (i), the following new subparagraph:

''(B) The requirement under subparagraph (A) shall not apply in the case of a requirements payment made using funds appropriated pursuant to the authorization under section 257(4).''.

(c) AUTHORIZATION.—Section 257(a) of the Help America Vote Act of 2002 (42 U.S.C. 15407(a)) is amended by adding at the end the following new paragraph:

''(4) For fiscal year 2010 and subsequent fiscal years, such sums as are necessary for purposes of making requirements payments to States to carry out the activities described in section 251(b)(3).''.

SEC. 595. TECHNOLOGY PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ABSENT UNIFORMED SERVICES VOTER.—The term ''absent uniformed services voter'' has the meaning given such term in section 107(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).

(2) OVERSEAS VOTER.—The term ''overseas voter'' has the meaning given such term in section 107(5) of such Act.

(3) PRESIDENTIAL DESIGNEE.—The term ''Presidential designee'' means the individual designated under section 101(a) of such Act.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Presidential designee may establish 1 or more pilot programs under which the feasibility of new election technology is tested for the benefit of absent uniformed services voters and overseas voters claiming rights under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).

(2) DESIGN AND CONDUCT.—The design and conduct of a pilot program established under this subsection—

(A) shall be at the discretion of the Presidential designee; and

(B) shall not conflict with or substitute for existing laws, regulations, or procedures with respect to the participation of absent uniformed services voters and military voters in elections for Federal office.

(c) CONSIDERATIONS.—In conducting a pilot program established under subsection (b), the Presidential designee may consider the following issues:

(1) The transmission of electronic voting material across military networks.

(2) Virtual private networks, cryptographic voting systems, centrally controlled voting stations, and other information security techniques.

(3) The transmission of ballot representations and scanned pictures in a secure manner.

(4) Capturing, retaining, and comparing electronic and physical ballot representations.

(5) Utilization of voting stations at military bases.

(6) Document delivery and upload systems.

(7) The functional effectiveness of the application or adoption of the pilot program to operational environments, taking into account environmental and logistical obstacles and State procedures.

(d) REPORTS.—The Presidential designee shall submit to Congress reports on the progress and outcomes of any pilot program conducted under this subsection, together with recommendations—

(1) for the conduct of additional pilot programs under this section; and

(2) for such legislation and administrative action as the Presidential designee determines appropriate.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SA 1636. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 565, after line 20, add the following:

SEC. 2832. LAND CONVEYANCES OF CERTAIN PARCELS IN THE CAMP CATLIN AND OHANA NUI AREAS, PEARL HARBOR, HAWAII.

(a) CONVEYANCES AUTHORIZED.—The Secretary of the Navy (''the Secretary'') may convey to any person or entity leasing or licensing real property located at Camp Catlin and Ohana Nui areas, Hawaii, as of the date of the enactment of this Act (''the lessee'') all right, title, and interest of the United States in and to the portion of such property that is respectively leased or licensed by such person or entity for the purpose of continuing the same functions as are being conducted on the property as of the date of the enactment of this Act.

(b) CONSIDERATION.—As consideration for a conveyance under subsection (a), the lessee shall provide the United States, whether by cash payment, in-kind consideration, or a combination thereof, an amount that is not less than the fair market of the conveyed property, as determined pursuant to an appraisal acceptable to the Secretary.

(c) EXERCISE OF RIGHT TO PURCHASE PROPERTY.—

(1) ACCEPTANCE OF OFFER.—For a period of 180 days beginning on the date the Secretary makes a written offer to convey the property or any portion thereof under subsection (a), the lessee shall have the exclusive right to accept such offer by providing written notice of acceptance to the Secretary within the specified 180-day time period. If the Secretary's offer is not so accepted within the 180-day period, the offer shall expire.

(2) CONVEYANCE DEADLINE.—If a lessee accepts the offer to convey the property or a portion thereof in accordance with paragraph (1), the conveyance shall take place not later than 2 years after the date of the lessee's written acceptance, provided that the conveyance date may be extended for a reasonable period of time by mutual agreement of the parties, evidenced by a written instrument executed by the parties prior to the end of the 2-year period. If the lessee's lease or license term expires before the conveyance is completed, the Secretary may extend the lease or license term up to the date of conveyance, provided that the lessee shall be required to pay for such extended term at the rate in effect at the time it was declared excess property.

(d) PAYMENT OF COSTS OF CONVEYANCES.—

(1) PAYMENT REQUIRED.—The Secretary shall require the lessee to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out a conveyance under subsection (a), including survey costs, related to the conveyance. If amounts are collected from the lessee in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the lessee.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out a conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be

merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of any real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERM AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 1637. Mr. PRYOR (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 97, strike line 20 and all that follows through page 98, line 17, and insert the following:

SEC. 414. FISCAL YEAR 2010 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS AND INCREASE IN PERMANENT LIMITATION ON SUCH TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2010, may not exceed the following:

(A) For the Army National Guard of the United States, 2,770.

(B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2010, may not exceed 595.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2010, may not exceed 90.

(b) INCREASE IN PERMANENT LIMITATION ON NATIONAL GUARD TECHNICIANS.—Section 10217(c)(2) of title 10, United States Code, is amended by striking ''1,950'' and inserting ''3,120''.

(c) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.

SA 1638. Mr. MCCAIN (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXVII, add the following:

SEC. 2707. REQUIREMENT FOR MASTER PLAN TO PROVIDE WORLD CLASS MILITARY MEDICAL FACILITIES IN THE NATIONAL CAPITAL REGION.

(a) MASTER PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and implement a comprehensive master plan to provide world class military medical facilities and an integrated system of health care delivery for the National Capital Region that—

(1) addresses—

(A) the unique needs of members of the Armed Forces and retired members of the Armed Forces and their families;

(B) the care, management, and transition of seriously ill and injured members of the Armed Forces and their families;

(C) the missions of the branch or branches of the Armed Forces served; and

(D) performance expectations for the future integrated health care delivery system, including—

(i) information management and information technology support; and

(ii) expansion of support services;

(2) includes the establishment of an integrated process for the joint development of budgets, prioritization of requirements, and the allocation of funds;

(3) designates a single entity within the Department of Defense with the budget and operational authority to respond quickly to and address emerging facility and operational requirements required to provide and operate world class military medical facilities in the National Capital Region;

(4) incorporates all ancillary and support facilities at the National Naval Medical Center, Bethesda, Maryland, including education and research facilities as well as centers of excellence, transportation, and parking structures required to provide a full range of adequate care and services for members of the Armed Forces and their families;

(5) ensures that each facility covered by the plan meets or exceeds Joint Commission hospital design standards as applicable; and

(6) can be used as a model to develop similar master plans for all military medical facilities within the Department of Defense.

(b) MILESTONE SCHEDULE AND COST ESTIMATES.—Not later than 90 days after the development of the master plan required by (a), the Secretary shall submit to the congressional defense committees a report describing—

(1) the schedule for completion of requirements identified in the master plan; and

(2) updated cost estimates to provide world class military medical facilities for the National Capital Region.

(c) DEFINITIONS.—In this section:

(1) NATIONAL CAPITAL REGION.—The term ''National Capital Region'' has the meaning given the term in section 2674(f) of title 10, United States Code.

(2) WORLD CLASS MILITARY MEDICAL FACILITY.—The term ''world class military medical facility'' has the meaning given the term by the National Capital Region Base Realignment and Closure Health Systems Advisory Subcommittee of the Defense Health Board in appendix B of the report entitled ''Achieving World Class – An Independent Review of the Design Plans for the Walter Reed National Military Medical Center and the Fort Belvoir Community Hospital'', published in May, 2009.

SA 1639. Mrs. HAGAN (for Ms. COLLINS) proposed an amendment to the concurrent resolution S. Con. Res. 11, condemning all forms of anti-Semitism and reaffirming the support of Congress for the mandate of the Special Envoy to Monitor and Combat Anti-Semitism, and for other purposes; as follows:

In the 10th whereas clause, strike ''Khameini'' and insert ''Khamenei''

SA 1640. Mrs. HAGAN (for Mr. NELSON of Florida) proposed an amendment to the bill S. 951, to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. ''Buzz'' Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr.; as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''New Frontier Congressional Gold Medal Act''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) as spacecraft commander for Apollo 11, the first manned lunar landing mission, Neil A. Armstrong gained the distinction of being the first man to land a craft on the moon and first to step on its surface on July 21, 1969;

(2) by conquering the moon at great personal risk to safety, Neil Armstrong advanced America scientifically and technologically, paving the way for future missions to other regions in space;

(3) Edwin E. ''Buzz'' Aldrin, Jr., joined Armstrong in piloting the lunar module, Eagle, to the surface of the moon, and became the second person to walk upon its surface;

(4) Michael Collins piloted the command module, Columbia, in lunar orbit and helped his fellow Apollo 11 astronauts complete their mission on the moon;

(5) John Herschel Glenn, Jr., helped pave the way for the first lunar landing when on February 20, 1962, he became the first American to orbit the Earth; and

(6) John Glenn's actions, like Armstrong's, Aldrin's and Collins's, continue to greatly inspire the people of the United States.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of the Congress, to Neil A. Armstrong, Edwin E. ''Buzz'' Aldrin, Jr., Michael Collins, and John Herschel Glenn, Jr., each a gold medal of appropriate design, in recognition of their significant contributions to society.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury shall strike gold medals with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

The Secretary of the Treasury may strike and sell duplicates in bronze of the gold medal struck pursuant to section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medals.

SEC. 5. NATIONAL MEDALS.

The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund, such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 4 shall be deposited into the United States Mint Public Enterprise Fund.

SA 1641. Mrs. HAGAN (for Mr. NELSON of Florida) proposed an amendment to the bill S. 951, to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. ''Buzz'' Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr.; as follows:

Amend the title so as to read: A Bill To authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. ''Buzz'' Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr.

SA 1642. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1073. COMPTROLLER GENERAL REVIEW OF SPENDING IN THE FINAL QUARTER OF FISCAL YEAR 2009 BY THE DEPARTMENT OF DEFENSE.

(a) REVIEW OF SPENDING BY THE COMPTROLLER GENERAL.—The Comptroller General of the United States shall conduct a review of the obligations and expenditures of the Department of Defense in the final quarter of fiscal year 2009, as compared to the obligations and expenditures of the Department in the first three quarters of that fiscal year, to determine if policies with respect to spending by the Department contribute to hastened year-end spending and poor use or waste of taxpayer dollars.

(b) REPORT.—Not later than the earlier of March 30, 2010, or the date that is 180 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing—

(1) the results of the review conducted under subsection (a); and

(2) any recommendations of the Comptroller General with respect to improving the policies pursuant to which amounts appropriated to the Department of Defense are obligated and expended in the final quarter of the fiscal year.

SA 1643. Mr. CASEY (for himself and Mr. BAYH) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. ANNUAL COUNTERTERRORISM STATUS REPORTS.

(a) SHORT TITLE.—This section may be cited as the ''Success in Countering Al Qaeda Reporting Requirements Act of 2009''.

(b) FINDINGS.—Congress makes the following findings:

(1) Al Qaeda and its related affiliates attacked the United States on September 11, 2001 in New York, New York, Arlington, Virginia, and Shanksville, Pennsylvania, murdering almost 3000 innocent civilians.

(2) Osama bin Laden and his deputy Ayman al-Zawahiri remain at large.

(3) In testimony to the Select Committee on Intelligence of the Senate on February 12, 2009, Director of National Intelligence Dennis C. Blair stated, ''al-Qa'ida and its affiliates and allies remain dangerous and adaptive enemies, and the threat they could inspire or orchestrate an attack on the United States or European countries. . . . Although al-Qa'ida's core organization in the tribal areas of Pakistan is under greater pressure now than it was a year ago, we assess that it remains the most dangerous component of the larger al-Qa'ida network. Al-Qa'ida leaders still use the tribal areas as a base from which they can avoid capture, produce propaganda, communicate with operational cells abroad, and provide training and indoctrination to new terrorist operatives.''.

(4) The most recent authoritative National Intelligence Estimate issued on the threat posed by Al Qaeda, released in July 2007, states ''Al-Qa'ida is and will remain the most serious terrorist threat to the Homeland''.

(5) Efforts to combat violent extremism and radicalism must be undertaken using all elements of national power, including military tools, intelligence assets, law enforcement resources, diplomacy, paramilitary activities, financial measures, development assistance, strategic communications, and public diplomacy.

(6) In the report entitled ''Suggested Areas for Oversight for the 110th Congress'' (GAO–08–235R, November 17, 2006), the Government Accountability Office urged greater congressional oversight in assessing the effectiveness and coordination of United States international programs focused on combating and preventing the growth of terrorism and its underlying causes.

(7) Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)) requires that the Secretary of State submit annual reports to Congress that detail key developments on terrorism on a country-by-country basis. These Country Reports on Terrorism provide information on acts of terrorism in countries, major developments in bilateral and multilateral counterterrorism cooperation, and the extent of State support for terrorist groups responsible for the death, kidnaping, or injury of Americans, but do not assess the scope and efficacy of United States counterterrorism efforts against Al Qaeda and its related affiliates.

(8) The Executive Branch submits regular reports to Congress that detail the status of United States combat operations in Iraq and Afghanistan, including a breakdown of budgetary allocations, key milestones achieved, and measures of political, economic, and military progress.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) 8 years after the attacks on September 11, 2001, Al Qaeda and its related affiliates remain the most serious national security threat to the United States, with alarming signs that Al Qaeda and its related affiliates have reconstituted their strength and ability to generate new attacks throughout the world, including against the United States;

(2) there remains insufficient information on current counterterrorism efforts undertaken by the Federal Government and the level of success achieved by specific initiatives;

(3) Congress and the American people can benefit from more specific data and metrics that can provide the basis for objective external assessments of the progress being made in the overall war being waged against violent extremism;

(4) the absence of a comparable timely assessment of the ongoing status and progress of United States counterterrorism efforts against Al Qaeda and its related affiliates hampers the ability of Congress and the American people to independently determine whether the United States is making significant progress in this defining struggle of our time; and

(5) the Executive Branch should submit a comprehensive report to Congress, updated on an annual basis, which provides a more strategic perspective regarding—

(A) the United States' highest global counterterrorism priorities;

(B) the United States' efforts to combat and defeat Al Qaeda and its related affiliates;

(C) the United States' efforts to undercut long-term support for the violent extremism that sustains Al Qaeda and its related affiliates;

(D) the progress made by the United States as a result of such efforts;

(E) the efficacy and efficiency of the United States resource allocations; and

(F) whether the existing activities and operations of the United States are actually diminishing the national security threat posed by Al Qaeda and its related affiliates.

(d) ANNUAL COUNTERTERRORISM STATUS REPORTS.—

(1) IN GENERAL.—Not later than July 31, 2010, and every July 31 thereafter, the President shall submit a report, to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives, which contains, for the most recent 12-month period, a review of the counterterrorism strategy of the United States Government, including—

(A) a detailed assessment of the scope, status, and progress of United States counterterrorism efforts in fighting Al Qaeda and its related affiliates and undermining long-term support for violent extremism;

(B) a judgment on the geographical region in which Al Qaeda and its related affiliates pose the greatest threat to the national security of the United States;

(C) a judgment on the adequacy of interagency integration of the counterterrorism programs and activities of the Department of Defense, the United States Special Operations Command, the Central Intelligence Agency, the Department of State, the Department of the Treasury, the Department of

Homeland Security, the Department of Justice, and other Federal departments and agencies;

(D) an evaluation of the extent to which the counterterrorism efforts of the United States correspond to the plans developed by the National Counterterrorism Center and the goals established in overarching public statements of strategy issued by the executive branch;

(E) a determination of whether the National Counterterrorism Center exercises the authority and has the resources and expertise required to fulfill the interagency strategic and operational planning role described in section 119(j) of the National Security Act of 1947 (50 U.S.C. 404o), as added by section 1012 of the National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458);

(F) a description of the efforts of the United States Government to combat Al Qaeda and its related affiliates and undermine violent extremist ideology, which shall include—

(i) a specific list of the President's highest global counterterrorism priorities;

(ii) the degree of success achieved by the United States, and remaining areas for progress, in meeting the priorities described in clause (i); and

(iii) efforts in those countries in which the President determines that—

(I) Al Qaeda and its related affiliates have a presence; or

(II) acts of international terrorism have been perpetrated by Al Qaeda and its related affiliates;

(G) a specific list of United States counterterrorism efforts, and the specific status and achievements of such efforts, through military, financial, political, intelligence, paramilitary, and law enforcement elements, relating to—

(i) bilateral security and training programs;

(ii) law enforcement and border security;

(iii) the disruption of terrorist networks; and

(iv) the denial of terrorist safe havens and sanctuaries;

(H) a description of United States Government activities to counter terrorist recruitment and radicalization, including—

(i) strategic communications;

(ii) public diplomacy;

(iii) support for economic development and political reform; and

(iv) other efforts aimed at influencing public opinion;

(I) United States Government initiatives to eliminate direct and indirect international financial support for the activities of terrorist groups;

(J) a cross-cutting analysis of the budgets of all Federal Government agencies as they relate to counterterrorism funding to battle Al Qaeda and its related affiliates abroad, including—

(i) the source of such funds; and

(ii) the allocation and use of such funds;

(K) an analysis of the extent to which specific Federal appropriations—

(i) have produced tangible, calculable results in efforts to combat and defeat Al Qaeda, its related affiliates, and its violent ideology; or

(ii) contribute to investments that have expected payoffs in the medium- to long-term;

(L) statistical assessments, including those developed by the National Counterterrorism Center, on the number of individuals belonging to Al Qaeda and its related affiliates that have been killed, injured, or taken into custody as a result of United States counterterrorism efforts; and

(M) a concise summary of the methods used by National Counterterrorism Center and other elements of the United States Government to assess and evaluate progress in its overall counterterrorism efforts, including the use of specific measures, metrics, and indices.

(2) INTERAGENCY COOPERATION.—In preparing a report under this subsection, the President shall include relevant information maintained by—

(A) the National Counterterrorism Center and the National Counterproliferation Center;

(B) Department of Justice, including the Federal Bureau of Investigation;

(C) the Department of State;

(D) the Department of Defense;

(E) the Department of Homeland Security;

(F) the Department of the Treasury;

(G) the Office of the Director of National Intelligence,

(H) the Central Intelligence Agency;

(I) the Office of Management and Budget;

(J) the United States Agency for International Development; and

(K) any other Federal department that maintains relevant information.

(3) REPORT CLASSIFICATION.—Each report required under this subsection shall be—

(A) submitted in an unclassified form, to the maximum extent practicable; and

(B) accompanied by a classified appendix, as appropriate.

SA 1644. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 270, between lines 5 and 6, insert the following:

SEC. 8___. PROCUREMENT AND ACQUISITION OF ALTERNATIVE FUELS.

Section 526 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17142) is amended to read as follows:

"SEC. 526. PROCUREMENT AND ACQUISITION OF ALTERNATIVE FUELS.

"(a) IN GENERAL.—Except as provided in subsection (b), no Federal agency shall enter into a contract for procurement of an alternative or synthetic fuel, including a fuel produced from nonconventional petroleum sources, for any mobility-related use other than for research or testing, unless the contract specifies that the lifecycle greenhouse gas emissions associated with the production and combustion of the fuel supplied under the contract, on an ongoing basis, be less than or equal to such emissions from the equivalent conventional fuel produced from conventional petroleum sources.

"(b) EXCEPTIONS.—Subsection (a) shall not prohibit a Federal agency from entering into a contract to purchase a generally available fuel that is produced, in whole or in part, from a nonconventional petroleum source if—

"(1) the contract does not specifically require the contractor to provide a fuel from a nonconventional petroleum source;

"(2) the purpose of the contract is not to obtain a fuel from a nonconventional petroleum source; and

"(3) the contract does not provide incentives (excluding compensation at market prices for the purchase of fuel purchased) for a refinery upgrade or expansion to allow a refinery to use or increase the use by the refinery of fuel from a nonconventional petroleum source.".

SA 1645. Mr. BROWN (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 565, after line 20, add the following:

SEC. 2832. LAND CONVEYANCE, GEORGE F. PENNINGTON UNITED STATES ARMY RESERVE CENTER, MARION, OHIO.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to Marion County, Ohio (in this section referred to as the "County"), all right, title, and interest of the United State in and to a parcel of real property, including improvements thereon, consisting of approximately 5.3 acres located at the George F. Pennington United States Army Reserve Center, 2164 Harding Way Highway East, Marion, Ohio, for the construction of a community center.

(b) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance, all right, title, and interest in and to such real property, including any improvements and appurtenant easements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto the property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCES.—

(1) PAYMENT REQUIRED.—The Secretary shall require the County to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, related to the conveyance. If amounts are collected from the County in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERM AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 1646. Mr. WARNER submitted an amendment intended to be proposed by

him to the bill S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 429, between lines 8 and 9, insert the following:

SEC. 1073. REPORT ON MODELING AND SIMULATION ACTIVITIES OF UNITED STATES JOINT FORCES COMMAND.

(a) REPORT REQUIRED.—Not later than six months after the date of the enactment of this Act, the Commander of the United States Joint Forces Command shall submit to the congressional defense committees a report that describes current and planned efforts for cooperative modeling and simulation development activities with the private sector and other government organizations.

(b) ELEMENTS.—The report required under subsection (a) shall include the following:

(1) An identification of the current and planned outreach to industry, consortia, academia, State and Federal agencies, and international partners, including efforts to leverage the capabilities of these organizations to support Joint Forces Command missions.

(2) A description of current and planned utilization by the United States Joint Forces Command of public-private partnerships and other technology transfer activities to support development of modeling and simulation capabilities and to sustain a defense modeling and simulation industrial base.

(3) A description of United States Joint Forces Command efforts to coordinate with State and regional modeling and simulation capabilities existing in the public and private sector.

(4) A description of the joint, coalition, and inter-agency modeling and simulation activities in which the United States Joint Forces Command is participating.

(5) Additional resources or authorities required by the United States Joint Forces Command to promote the development of needed modeling and simulation capabilities through cooperative activities with the private sector or other government organizations.

(6) Other matters as deemed appropriate by the Commander of the United States Joint Forces Command.

PRIVILEGES OF THE FLOOR

Mr. SESSIONS. Mr. President, I ask unanimous consent that my legislative fellow, Navy LCDR Tim Long, be granted the privilege of the floor during consideration of S. 1390, the National Defense Authorization Act of 2010.

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

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that LCDR Ryan Farris, Mr. Yariv Pierce, and Mr. Stratton Kirton be given the privilege of the floor throughout the duration of the debate on the Department of Defense authorization.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for 2009 second quarter Mass Mailings is Monday, July 27, 2009. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510–7116.

The Public Records office will be open from 9 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224–0322.

SPECIAL ENVOY TO MONITOR AND COMBAT ANTI-SEMITISM

Mrs. HAGAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 44, S. Con. Res. 11.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 11) condemning all forms of anti-Semitism and reaffirming the support of Congress for the mandate of the Special Envoy to Monitor and Combat Anti-Semitism, and for other purposes.

There being no objection, the Senate proceeded to consider the concurrent resolution which had been reported from the Committee on Foreign Relations, with amendments; as follows:

(The parts of the preamble intended to be stricken are shown in boldface brackets and the part of the preamble intended to be inserted is shown in italics.)

S. CON. RES. 11

Whereas the United States Government has consistently supported efforts to address the rise in anti-Semitism through its bilateral relationships and through engagement in international organizations such as the United Nations, the Organization for Security and Cooperation in Europe (OSCE), and the Organization of American States;

Whereas, in 2004, Congress passed the Global Anti-Semitism Review Act (Public Law 108–332), which established an Office to Monitor and Combat Anti-Semitism, headed by a Special Envoy to Monitor and Combat Anti-Semitism;

Whereas the Department of State, the Office for Democratic Institutions and Human Rights of the OSCE, and others have reported that periods of Arab-Israeli tension have sparked an increase in attacks against Jewish communities around the world and comparisons of policies of the Government of Israel to those of the Nazis and that, despite growing efforts by governments to promote Holocaust remembrance, the Holocaust is frequently invoked as part of anti-Semitic harassment to threaten and offend Jews;

Whereas, since the commencement of Israel's military operation in Gaza on December 27, 2008, a substantial increase in anti-Semitic violence, including physical and verbal attacks, arson, and vandalism against synagogues, cemeteries, and Holocaust memorial sites, has been reported;

Whereas, among many other examples of the dramatic rise of anti-Semitism around the world, over 220 anti-Semitic incidents have been reported to the Community Security Trust in London since December 27, 2008, approximately eight times the number recorded during the same period last year, and the main Jewish association in France, Counsel Representatif des Institutions Juives de France, recorded more than 100 attacks in January, including car bombs launched at synagogues, a difference from 20 to 25 a month for the previous year;

Whereas, interspersed with expressions of legitimate criticism of Israeli policy and actions, anti-Semitic imagery and comparisons of Jews and Israel to Nazis have been widespread at demonstrations in the United States, Europe, and Latin America against Israel's actions, and placards held at many demonstrations across the globe have compared Israeli leaders to Nazis, accused Israel of carrying out a ''Holocaust'' against Palestinians, and equated the Jewish Star of David with the Nazi swastika;

Whereas, in some countries, demonstrations have included chants of ''death to Israel'', expressions of support for suicide terrorism against Israeli or Jewish civilians, and have been followed by violence and vandalism against synagogues and Jewish institutions;

Whereas some government leaders have exemplified courage and resolve against this trend, including President Nicolas Sarkozy of France, who said he ''utterly condemned the unacceptable violence, under the pretext of this conflict, against individuals, private property, and religious buildings'', and assured ''that these acts would not go unpunished'', Justice Minister of the Netherlands Ernst Hirsch Ballin, who announced on January 14, 2009, that he would investigate allegations of anti-Semitism and incitement to hatred and violence at anti-Israel demonstrations, and parliamentarians who have voiced concern, such as the British Parliament's All-Party Group Against Anti-Semitism, which expressed its ''horror as a wave of anti-Semitic incidents has affected the Jewish community'';

Whereas, despite these actions, too few government leaders in Europe, the Middle East, and Latin America have taken action against the anti-Semitic environments in their countries and in some cases have even promoted violence;

Whereas other leaders have made hostile pronouncements against Israel and Jews, including the President of Venezuela, Hugo Chavez, who called Israel's actions a ''Holocaust against the Palestinian people'' and singled out Venezuela's Jewish community, demanding that they publicly renounce Israel's ''barbaric acts'' and in so doing implying that the Jewish community is co-responsible for any actions by the Government of Israel and thus a legitimate target, the leader of Hamas, Mahmoud al-Zahar, who recently called for Jewish children to be attacked around the world, and the Supreme Leader of Iran, Ayatollah Ali Khameini, who vowed to confer the status of ''martyr'' on ''anyone who dies in this holy struggle against World Zionism'';

Whereas incitement to violence against Jews also continues in state-run media, particularly in the Middle East, where government-owned, government-sanctioned, or government-controlled publishing houses publish newspapers which promulgate anti-Jewish stereotypes and the myth of the Jewish blood libels in editorial cartoons and articles, produce and broadcast anti-Semitic dramatic and documentary series, and produce Arabic translations of anti-Semitic tracts such as ''The Protocols of the Elders of Zion'' and ''Mein Kampf'';

Whereas Jewish communities face an environment in which the convergence of anti-Semitic sentiment and demonization of Israel in the public debate have fostered a hostile environment and a sense of [global] insecurity *in certain countries*[, especially in places such as Belgium, Argentina, Venezuela, Spain, and South Africa].

Whereas, in response, the United States Government and other governments and multilateral institutions have supported international government and civil society efforts to monitor and report on anti-Semitic activities and introduce preventive initiatives such as tolerance education and Holocaust Remembrance; and

Whereas challenges still remain, with the governments of many countries failing to implement and fund preventive efforts, accurately track and report anti-Semitic crimes, and prosecute offenders: Now, therefore, be it

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

(1) unequivocally condemns all forms of anti-Semitism and rejects attempts to rationalize anti-Jewish hatred or attacks as a justifiable expression of disaffection or frustration over political events in the Middle East or elsewhere;

(2) decries the comparison of Jews to Nazis perpetrating a Holocaust or genocide as a pernicious form of anti-Semitism, an insult to the memory of those who perished in the Holocaust, and an affront both to those who survived and the righteous gentiles who saved Jewish lives at peril to their own and who fought to defeat the Nazis;

(3) calls on leaders to speak out against manifestations of anti-Semitism that have entered the public debate about the Middle East;

(4) applauds those foreign leaders who have condemned anti-Semitic acts and calls on those who have yet to take firm action against anti-Semitism in their countries to do so;

(5) reaffirms its support for the mandate of the Special Envoy to Monitor and Combat Anti-Semitism; and

(6) urges the Secretary of State—

(A) to maintain the fight against anti-Semitism as a foreign policy priority of the Untied States and to convey the concerns of the United States Government in bilateral meetings;

(B) to continue to raise with United States allies in the Middle East their failure to halt incitement to violence against Jews, including through the use of government-run media;

(C) to urge governments to promote tolerance education and establish mechanisms to monitor, investigate, and punish anti-Semitic crimes, including through utilization of the education, law enforcement training, and civil society capacity building initiatives of the Tolerance and Non-discrimination Department of the Organization for Security and Cooperation in Europe (OSCE);

(D) to swiftly appoint the Special Envoy to Monitor and Combat Anti-Semitism of the Department of State;

(E) to ensure that Department of State Annual Country Reports on Human Rights and International Religious Freedom Reports continue to report on incidents of anti-Semitism and the efforts of foreign governments to address the problem;

(F) to provide necessary training and tools for United States embassies and missions to recognize these trends; and

(G) to ensure that initiatives of the United States Government to train law enforcement abroad incorporate tools to address anti-Semitism.

Mrs. HAGAN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the committee-reported amendments be agreed to, the technical amendment at the desk be agreed to, the preamble, as amended, be agreed to, the motions to reconsider be laid upon the table, and that any statements relating to the concurrent resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 11) was agreed to.

The committee-reported amendments were agreed to.

The amendment (No. 1639) was agreed to, as follows:

In the 10th whereas clause, strike ''Khameini'' and insert ''Khamenei''

The preamble, as amended, was agreed to.

The concurrent resolution, with its preamble, as amended, reads as follows:

S. CON. RES. 11

Whereas the United States Government has consistently supported efforts to address the rise in anti-Semitism through its bilateral relationships and through engagement in international organizations such as the United Nations, the Organization for Security and Cooperation in Europe (OSCE), and the Organization of American States;

Whereas in 2004, Congress passed the Global Anti-Semitism Review Act (Public Law 108–332), which established an Office to Monitor and Combat Anti-Semitism, headed by a Special Envoy to Monitor and Combat Anti-Semitism;

Whereas the Department of State, the Office for Democratic Institutions and Human Rights of the OSCE, and others have reported that periods of Arab-Israeli tension have sparked an increase in attacks against Jewish communities around the world and comparisons of policies of the Government of Israel to those of the Nazis and that, despite growing efforts by governments to promote Holocaust remembrance, the Holocaust is frequently invoked as part of anti-Semitic harassment to threaten and offend Jews;

Whereas since the commencement of Israel's military operation in Gaza on December 27, 2008, a substantial increase in anti-Semitic violence, including physical and verbal attacks, arson, and vandalism against synagogues, cemeteries, and Holocaust memorial sites, has been reported;

Whereas among many other examples of the dramatic rise of anti-Semitism around the world, over 220 anti-Semitic incidents have been reported to the Community Security Trust in London since December 27, 2008, approximately eight times the number recorded during the same period last year, and the main Jewish association in France, Counsel Representatif des Institutions Juives de France, recorded more than 100 attacks in January, including car bombs launched at synagogues, a difference from 20 to 25 a month for the previous year;

Whereas interspersed with expressions of legitimate criticism of Israeli policy and actions, anti-Semitic imagery and comparisons of Jews and Israel to Nazis have been widespread at demonstrations in the United States, Europe, and Latin America against Israel's actions, and placards held at many demonstrations across the globe have compared Israeli leaders to Nazis, accused Israel of carrying out a ''Holocaust'' against Palestinians, and equated the Jewish Star of David with the Nazi swastika;

Whereas in some countries, demonstrations have included chants of ''death to Israel'', expressions of support for suicide terrorism against Israeli or Jewish civilians, and have been followed by violence and vandalism against synagogues and Jewish institutions;

Whereas some government leaders have exemplified courage and resolve against this trend, including President Nicolas Sarkozy of France, who said he ''utterly condemned the unacceptable violence, under the pretext of this conflict, against individuals, private property, and religious buildings'', and assured ''that these acts would not go unpunished'', Justice Minister of the Netherlands Ernst Hirsch Ballin, who announced on January 14, 2009, that he would investigate allegations of anti-Semitism and incitement to hatred and violence at anti-Israel demonstrations, and parliamentarians who have voiced concern, such as the British Parliament's All-Party Group Against Anti-Semitism, which expressed its ''horror as a wave of anti-Semitic incidents has affected the Jewish community'';

Whereas despite these actions, too few government leaders in Europe, the Middle East, and Latin America have taken action against the anti-Semitic environments in their countries and in some cases have even promoted violence;

Whereas other leaders have made hostile pronouncements against Israel and Jews, including the President of Venezuela, Hugo Chavez, who called Israel's actions a ''Holocaust against the Palestinian people'' and singled out Venezuela's Jewish community, demanding that they publicly renounce Israel's ''barbaric acts'' and in so doing implying that the Jewish community is co-responsible for any actions by the Government of Israel and thus a legitimate target, the leader of Hamas, Mahmoud al-Zahar, who recently called for Jewish children to be attacked around the world, and the Supreme Leader of Iran, Ayatollah Ali Khamenei, who vowed to confer the status of ''martyr'' on ''anyone who dies in this holy struggle against World Zionism'';

Whereas incitement to violence against Jews also continues in state-run media, particularly in the Middle East, where government-owned, government-sanctioned, or government-controlled publishing houses publish newspapers which promulgate anti-Jewish stereotypes and the myth of the Jewish blood libels in editorial cartoons and articles, produce and broadcast anti-Semitic dramatic and documentary series, and produce Arabic translations of anti-Semitic tracts such as ''The Protocols of the Elders of Zion'' and ''Mein Kampf'';

Whereas Jewish communities face an environment in which the convergence of anti-Semitic sentiment and demonization of Israel in the public debate have fostered a hostile environment and a sense of insecurity in certain countries;

Whereas in response, the United States Government and other governments and multilateral institutions have supported international government and civil society efforts to monitor and report on anti-Semitic activities and introduce preventive initiatives such as tolerance education and Holocaust Remembrance; and

Whereas challenges still remain, with the governments of many countries failing to implement and fund preventive efforts, accurately track and report anti-Semitic crimes, and prosecute offenders: Now, therefore, be it

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

(1) unequivocally condemns all forms of anti-Semitism and rejects attempts to rationalize anti-Jewish hatred or attacks as a justifiable expression of disaffection or frustration over political events in the Middle East or elsewhere;

(2) decries the comparison of Jews to Nazis perpetrating a Holocaust or genocide as a pernicious form of anti-Semitism, an insult to the memory of those who perished in the Holocaust, and an affront both to those who survived and the righteous gentiles who saved Jewish lives at peril to their own and who fought to defeat the Nazis;

(3) calls on leaders to speak out against manifestations of anti-Semitism that have entered the public debate about the Middle East;

(4) applauds those foreign leaders who have condemned anti-Semitic acts and calls on those who have yet to take firm action against anti-Semitism in their countries to do so;

(5) reaffirms its support for the mandate of the Special Envoy to Monitor and Combat Anti-Semitism; and

(6) urges the Secretary of State—

(A) to maintain the fight against anti-Semitism as a foreign policy priority of the United States and to convey the concerns of the United States Government in bilateral meetings;

(B) to continue to raise with United States allies in the Middle East their failure to halt incitement to violence against Jews, including through the use of government-run media;

(C) to urge governments to promote tolerance education and establish mechanisms to monitor, investigate, and punish anti-Semitic crimes, including through utilization of the education, law enforcement training, and civil society capacity building initiatives of the Tolerance and Non-discrimination Department of the Organization for Security and Cooperation in Europe (OSCE);

(D) to swiftly appoint the Special Envoy to Monitor and Combat Anti-Semitism of the Department of State;

(E) to ensure that Department of State Annual Country Reports on Human Rights and International Religious Freedom Reports continue to report on incidents of anti-Semitism and the efforts of foreign governments to address the problem;

(F) to provide necessary training and tools for United States embassies and missions to recognize these trends; and

(G) to ensure that initiatives of the United States Government to train law enforcement abroad incorporate tools to address anti-Semitism.

NEW FRONTIER CONGRESSIONAL GOLD MEDAL ACT

Mrs. HAGAN. Mr. President, I ask unanimous consent that the Banking Committee be discharged from further consideration of S. 951 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. 951) to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. ''Buzz'' Aldrin Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and the first American to orbit the Earth, John Herschel Glenn, Jr.

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

Mrs. HAGAN. Mr. President, I ask unanimous consent that a Senator NELSON of Florida amendment, which is at the desk, be agreed to, the bill, as amended, be read a third time and passed; that an amendment to the title, which is at the desk, be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1640) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''New Frontier Congressional Gold Medal Act''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) as spacecraft commander for Apollo 11, the first manned lunar landing mission, Neil A. Armstrong gained the distinction of being the first man to land a craft on the moon and first to step on its surface on July 21, 1969;

(2) by conquering the moon at great personal risk to safety, Neil Armstrong advanced America scientifically and technologically, paving the way for future missions to other regions in space;

(3) Edwin E. ''Buzz'' Aldrin, Jr., joined Armstrong in piloting the lunar module, Eagle, to the surface of the moon, and became the second person to walk upon its surface;

(4) Michael Collins piloted the command module, Columbia, in lunar orbit and helped his fellow Apollo 11 astronauts complete their mission on the moon;

(5) John Herschel Glenn, Jr., helped pave the way for the first lunar landing when on February 20, 1962, he became the first American to orbit the Earth; and

(6) John Glenn's actions, like Armstrong's, Aldrin's and Collins's, continue to greatly inspire the people of the United States.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of the Congress, to Neil A. Armstrong, Edwin E. ''Buzz'' Aldrin, Jr., Michael Collins, and John Herschel Glenn, Jr., each a gold medal of appropriate design, in recognition of their significant contributions to society.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury shall strike gold medals with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

The Secretary of the Treasury may strike and sell duplicates in bronze of the gold medal struck pursuant to section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medals.

SEC. 5. NATIONAL MEDALS.

The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund, such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 4 shall be deposited into the United States Mint Public Enterprise Fund.

The bill, as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The amendment (No. 1641) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: A Bill To authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. ''Buzz'' Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr.

EXECUTIVE SESSION

NOMINATION DISCHARGED

Mrs. HAGAN. Mr. President, I ask unanimous consent that the Senate proceed to executive session and that the Agriculture Committee be discharged from further consideration of PN498, the nomination of Evan Segal to be CFO at the Department of Agriculture; that the Senate then proceed to the nomination; that the nomination be confirmed, the motion to reconsider be laid upon the table and no further motions be in order; that the President be immediately notified of the Senate's action; that any statements relating thereto be printed in the RECORD, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF AGRICULTURE

Evan J. Segal, of Pennsylvania, to be Chief Financial Officer, Department of Agriculture, vice Charles R. Christopherson, Jr., resigned.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ORDERS FOR TUESDAY, JULY 21, 2009

Mrs. HAGAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, July 21; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of Calendar No. 89, S. 1390, the Department of Defense authorization bill; that the Senate recess from

12:30 until 2:15 p.m. to allow for the weekly caucus luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mrs. HAGAN. Mr. President, as a result of an agreement reached earlier today, around 12 o'clock the Senate will proceed to a vote on the Levin-McCain amendment regarding F–22 funding.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mrs. HAGAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:21 p.m., adjourned until Tuesday, July 21, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

COMMODITY FUTURES TRADING COMMISSION

JILL SOMMERS, OF KANSAS, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2014. (REAPPOINTMENT)

DEPARTMENT OF TRANSPORTATION

DANIEL R. ELLIOTT, III, OF OHIO, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2013, VICE W. DOUGLAS BUTTREY, TERM EXPIRED.

DEPARTMENT OF ENERGY

JOSE ANTONIO GARCIA, OF FLORIDA, TO BE DIRECTOR OF THE OFFICE OF MINORITY ECONOMIC IMPACT, DEPARTMENT OF ENERGY, VICE THERESA ALVILLAR-SPEAKE, RESIGNED.

DEPARTMENT OF COMMERCE

JOHN R. FERNANDEZ, OF INDIANA, TO BE ASSISTANT SECRETARY OF COMMERCE FOR ECONOMIC DEVELOPMENT, VICE SANTANU K. BARUAH, RESIGNED.

EXECUTIVE OFFICE OF THE PRESIDENT

GARY S. GUZY, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY DIRECTOR OF THE OFFICE OF ENVIRONMENTAL QUALITY. (NEW POSITION)

DEPARTMENT OF STATE

LEE ANDREW FEINSTEIN, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF POLAND.

ROBERT D. HORMATS, OF NEW YORK, TO BE AN UNDER SECRETARY OF STATE (ECONOMIC, ENERGY, AND AGRICULTURAL AFFAIRS), VICE REUBEN JEFFERY III, RESIGNED.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MARVIN KRISLOV, OF OHIO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2014, VICE CELESTE COLGAN, TERM EXPIRED.

DISCHARGED NOMINATION

The Senate Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

EVAN J. SEGAL, OF PENNSYLVANIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF AGRICULTURE.

CONFIRMATION

Executive nomination confirmed by the Senate, Monday, July 20, 2009:

DEPARTMENT OF AGRICULTURE

EVAN J. SEGAL, OF PENNSYLVANIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF AGRICULTURE.

EXTENSIONS OF REMARKS

CONGRATULATING THE EBENEZER MISSIONARY BAPTIST CHURCH OF HALLANDALE, FLORIDA ON ITS CENTENNIAL ANNIVERSARY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise to congratulate the Ebenezer Missionary Baptist Church of Hallandale, Florida, on its centennial anniversary. In 1909 the church was founded under a rubber tree and counted only three students in its Sunday School class. Since then it has grown into a pillar of the community with broad outreach to those seeking spiritual guidance, religious education, social linkages, and help with their lives.

Throughout the past 100 years Ebenezer has stood up for the disadvantaged and disenfranchised, offering those in need of help comfort, care, and assistance. As the oldest church in the community, Ebenezer has been at the forefront of social and political changes in south Florida. The church and its members were active in the Civil Rights Movement and played an important role in the desegregation of the Broward County school system in the 1960s. The church and its leaders have continued the fight for equal rights and equal opportunity.

Although the Ebenezer Missionary Baptist Church is no longer located in my congressional district, I am pleased to call its leaders and members my friends. The community of Ebenezer has been there for me at many points in my life and I am grateful for their support and friendship these many years.

Madam Speaker, for 100 years now the Ebenezer Missionary Baptist Church has ably served the community around Hallandale, Florida. Under the leadership of its past pastors, and its current leader, the Revered Joe C. Johnson, the church has expanded its membership, performed good works in the south Florida region, and uplifted the members of its community. I wish the church, its leaders, and its members the best of luck in their future endeavors.

HONORING THE VALLEY FORGE BAPTIST TEMPLE AS IT CELEBRATES ITS 25TH ANNIVERSARY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. GERLACH. Madam Speaker, I rise today to honor the Valley Forge Baptist Temple as the congregation celebrates its 25th Anniversary.

Since its founding in 1984, "The Caring Church" has expanded to accommodate the growing congregation. After holding double Sunday-morning services, a new 32,000 square foot auditorium, nursery and office wing was built in 1996.

Valley Forge Baptist Temple supports more than 160 missionary families and organizations worldwide. Through the faith promise commitments and contributions from its members, the Church uses these funds to help evangelize the world.

Pastor Scott Wendal, Sr. has led the Church for the last 25 years, ministering and serving the people of the community. And the fruits of his labor are a growing congregation and vibrant, innovative programs that enrich lives and strengthen families.

Madam Speaker, I ask that my colleagues join me today in celebration of the 25th Anniversary of the Valley Forge Baptist Temple and in honor of all members past and present.

IN RECOGNITION OF THE SERVICE OF COLONEL GARY L. PLUMB

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. MILLER of Florida. Madam Speaker, it is with great honor that I rise today in recognition of the service of Colonel Gary L. Plumb, Commander of the 46th Test Wing at Eglin Air Force Base, Florida. Colonel Plumb retires today after 27 years of humble service to this great Nation in the United States Air Force, and I am proud to recognize his vast contributions to national security.

Colonel Plumb grew up in Loveland, Colorado. After graduating from Thompson Valley High School, he joined the Air Force and accepted an appointment at the United States Air Force Academy. He graduated from the Academy with a Bachelor of Science Degree in Electrical Engineering and received a commission as a Second Lieutenant in the United States Air Force on 2 June, 1982.

After earning his wings and graduating number one in his Pilot Instructor Training Class, Colonel Plumb began his flying career as an instructor pilot at Reese AFB, Texas. Upon graduating Lead-in Fighter Training, Colonel Plumb flew the F–16 while assigned to the 496th Fighter Squadron at Hahn Air Base, Germany. A graduate of the United States Air Force Test Pilot School, he then flew experimental test missions in the F–16 and F–4 while assigned to the 39th Flight Test Squadron, Eglin Air Force Base, Florida. From there, he attended Air Command and Staff College and then received an assignment to the F–16 System Program Office in Wright Patterson Air Force Base, Ohio where he was Chief of F–16 Combat Capability Development.

Identified as a proven leader, Air Force leadership selected him to command one of the most important squadrons in the Air Force, the 411th Flight Test Squadron. After taking command of the 411th Flight Test Squadron at Edwards AFB, he led developmental flight test for the Air Force's newest fighter, the F/A–22. The Colonel was then selected to attend the prestigious Industrial College of the Armed Forces in Washington, DC. Following this assignment Colonel Plumb was selected for a joint assignment where he was assigned to the Joint Warfighting Center, Joint Forces Command, Suffolk, Virginia. The Colonel has commanded at the flight, squadron and group level. He is a Command Pilot who has accumulated over 3,400 flight hours in over 30 different aircraft.

Colonel Gary L. Plumb is currently the Commander, 46th Test Wing, Air Armament Center, Air Force Materiel Command, Eglin Air Force Base, Florida. With over 4,200 military, civilian, and contractor personnel, the Test Wing's primary mission is developmental testing and evaluation of conventional munitions, command and control systems, egress systems, and navigation and guidance systems. The Test Wing manages 26 modified test aircraft; 185,500 square miles of land and water test ranges, plus facilities in six different states. His leadership as the Commander of the 46th Test Wing will ensure the Eglin range complex, a national resource, remains productive and vibrant for years to come. The weapon systems tested in Northwest Florida today maintain U.S. military superiority, provide the equipment and resources for the men and woman serving this Nation to accomplish their missions, and keep them safe.

He is married to the former Robin Church, and together they have three children—U.S. Air Force Captain Jacquelyn Perr; U.S. Army 2d Lieutenant Daniel Plumb; and U.S. Air Force Academy Cadet Alexander Plumb.

During his 27 years in the military, he spent almost 8 years serving the Air Force in the First Congressional District of Florida. His tireless work has benefited our community enormously. I'm pleased to hear we will continue to profit from his leadership in the Northwest Florida community as he retires in Niceville.

Madam Speaker, on behalf of the United States Congress, I am proud to recognize Colonel Plumb for his excellent leadership and extraordinary service to the United States Air Force. His contributions to national security will continue to benefit the Nation. From all the constituents of Florida's First Congressional District, I would like to congratulate him on his retirement and wish him well in his future endeavors.

HONORING DR. TAMMIE LEE DEMLER

HON. CHRISTOPHER JOHN LEE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. LEE of New York. Madam Speaker, it is with great pride that I rise today to pay tribute to Dr. Tammie Lee Demler of Wheatfield, NY, for recently being awarded the prestigious Bowl of Hygeia for her outstanding pharmacy service and leadership in our community.

For nearly 50 years, the Bowl of Hygeia award program has been a vehicle to encourage pharmacists to excel beyond their standard job duties and pay back their communities through exceptional public service. Dr. Demler is a well deserving recipient of this award.

Currently, Dr. Demler is the Director of Pharmacy Services for the Buffalo Psychiatric Center. She additionally serves as the Program Director for the Post Doctoral Pharmacy Residency Program at the University of Buffalo School of Pharmacy and Pharmaceutical Sciences.

In addition to her impressive career, Dr. Demler's leadership has been recognized by her peers as she was the first woman elected President of the Pharmacists Society of the State of New York in the organization's 125-year history.

Dr. Demler's dedication to the community has included participation as the Erie County Site Staging manager for the Specialized Medical Assistance Response Team (SMART), organizing the world class Taste of Buffalo as a member of the Board of Directors and Restaurant committee. In addition she has been able to use her professional skills in pharmacy to host her own TV segment on WNY Tonight.

Madam Speaker, in recognition of the her dedication to our community and improving the lives of Western New Yorkers, I ask this Honorable Body to join me in congratulating Dr. Tammie Lee Demler for being awarded the prestigious Bowl of Hygeia award.

INTRODUCING THE ESTABLISHING GRANTS FOR COLLEGE ACCESS AND COMPLETION PROGRAM

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. INSLEE. Madam Speaker, I rise today to introduce the Establishing Grants for College Access and Completion Act of 2009, a bill to increase the number of low-income students from underserved populations and disadvantaged backgrounds who enter and complete college.

It is well established that students from low-income families are 30 percent less likely to have access to higher education, but the disparity in graduation rates are more pronounced: only 20 percent of the lowest-income students are projected to graduate with a bachelor's degree by 2012, compared to 68 percent of the highest income students.

This bill would authorize Federal funding for the Grants for College Access and Completion program, a competitive grant program to support innovative and effective approaches that are currently improving college-going and college-graduation rates for low-income, high-promise students. Eligible organizations would need to show a proven track record of success in increasing the number of students from low-income and disadvantaged populations who enter and remain in college, and have an independent scholarship program supported by non-Federal dollars. Any eligible organization, under this bill, would be able to enter into partnerships with other entities to improve their ability to effectively reach low-income and disadvantaged students.

This bill was written to use taxpayers' money wisely. The Federal grants would be used to provide mentoring, academic support, and supportive services to prepare low-income students to attend institutions of higher education, with 15 percent of the funds coming from non-Federal sources. This bill does not provide any money for scholarships; rather, it will be required that the grantees have established and successful scholarship programs. Finally, the bill has an annual reporting requirement of grantees, so that the Secretary can keep close track of their performance.

For example, efforts are currently underway and proven to improve graduation rates of this student population. A Washington State-based foundation, the College Success Foundation, formerly the Washington Education Foundation, is leading the way, by encouraging low-income and disadvantaged students to pursue higher education, and providing them with support and mentoring services to ensure their continued success in college.

Almost 90 percent of today's fastest growing jobs require some postsecondary education. Students who do not attend and graduate from college are increasingly finding themselves shut out of well-paying jobs. Statistics show that an individual without a high school diploma will earn approximately $1,100,000 less in their lifetime than an individual with a bachelor's degree. Finally, statistics show that the children of college graduates, and even their children's children, are more likely to go on to graduate from institutes of higher education. Should my bill become law, and help students attend and graduate from college, their expected lifetime earnings will more than pay for the little sums of money appropriated through this legislation.

I urge my colleagues to consider this important bill.

HONORING DR. ABE SILVERSTEIN

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. MACK. Madam Speaker, I rise today to honor Dr. Abe Silverstein, an American engineer who played an important part in the United States space program.

Dr. Silverstein was born in 1908 in Terre Haute, Indiana, and earned a B.S. in mechanical engineering (1929) and an M.E. (1934) from the Rose Polytechnic Institute. In 1929, Dr. Silverstein was hired by the National Advisory Committee for Aeronautics (NACA) at the Langley research center to work on the design of the Altitude Wind Tunnel. While there, he also directed research which led to increased high-speed performance of most of the combat aircraft of World War II. His work contributed to development of present day supersonic aircrafts.

Dr. Silverstein helped at NASA headquarters to help with the space flights of Project Mercury and the Apollo program. He was also chair to the government commission The Silverstein Committee.

Dr. Silverstein received several awards for his work. In 1984, NASA named him an ''Elder Statesman of Aviation.'' On August 14, 1997, Dr. Silverstein was the recipient of the Guggenheim Medal for significant contributions to the advancement of flight. He later retired to Ohio and spent his winters in Cape Coral.

I would like to recognize Dr. Silverstein for his contributions to this country and we are proud of all his accomplishments. His lifetime achievements are truly commendable.

CONFLICT RESOLUTION IN CYPRUS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. JOHNSON of Georgia. Madam Speaker, I come to the floor today to urge the U.S. to join in the efforts to reach a peaceful solution to the dispute in Cyprus.

The United States, United Nations, United Kingdom, European Union are just a few countries and international organizations who have long been engaged in the efforts to bring about a negotiated compromise to the dispute in Cyprus. I feel it is time that such an agreement is reached. Moreover, I'm pleased that at the end of last year, the Greek Cypriot Leader, Demetris Christofias, and Turkish Cypriot Leader, Mehmet Ali Talat, began U.N.-sponsored peace talks to try to find a solution to the ongoing situation in Cyprus.

I believe this Administration should also take an active role to bring about a solution that would be beneficial for both Cypriot communities. This ongoing disagreement pits two NATO allies, Greece and Turkey, against each other, and therefore, we must quickly find a mutually agreed upon solution.

Assistant Secretary of State for European and Eurasian Affairs, Philip Gordon, testified that ''resolution of the Cyprus problem will have a tremendous impact on the region by strengthening peace, justice, and prosperity on the island, advancing Turkey's European Union accession, improving NATO-EU cooperation and removing a source of friction between two NATO Allies, Greece and Turkey.''

I agree with the Assistant Secretary Gordon's sentiments and hope the Administration takes the appropriate actions to ensure that an accord is achieved. Any agreement must lead Cyprus to an independent government where both Greek and Turkish Cypriot communities have equal political rights similar to the 1994 Annan Plan. The Annan Plan would have set up a confederation of two component states—the Greek Cypriot State and the Turkish Cypriot State. Both Cypriot communities would be joined together by a federal government mirrored after the Swiss federal model. The plan included a federal constitution, constitutions for each constituent state, and a string of constitutional and federal laws. It also provided for a Reconciliation Commission to bring the two Cypriot communities closer together and resolve outstanding disputes from the past.

Such a bi-zonal and bi-communal agreement is the best approach and I urge the Administration to actively participate in the peaceful re-unification process in Cyprus.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2010

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2009

The House in Committee of the Whole House on the State of the Union had under consideration 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:

Mr. HOLT. Mr. Chair, today I rise today in support of the Financial Services and General Government Appropriations Act for Fiscal Year 2010, and to commend Chairman SERRANO and the subcommittee for their hard work in crafting this bill. I urge my colleagues to support it.

This bill will fund many of the agencies we rely upon to protect consumers, taxpayers and investors, which has become so increasingly important over the past year. The housing, financial services and economic crises have created a tidal wave of repercussions, all of which have substantially increased the burdens and demands on these agencies. Therefore, I am pleased to support the increased funding in this bill for these purposes.

For example, the bill includes more than $1 billion for the Securities and Exchange Commission (SEC), an increase of $76 million from Fiscal Year 2009. This funding will enable the SEC to hire an additional 140 investigators, attorneys, and analysts, and thus substantially increase its enforcement capacity. We need to do more to improve the effectiveness of the SEC than simply adding staff, but this is a very important first step.

In addition, the bill includes $292 million in funding for the Federal Trade Commission (FTC), more than $30 million more than was provided, in Fiscal Year 2009. The FTC is responsible for investigating and prosecuting unfair and deceptive trade practices, including foreclosure rescue scams, and predatory payday-lending, credit-repair and debt-collection services, all of which have been rampant during the current crisis.

Also included is $113 million for the Consumer Product Safety Commission (CPSC), a modest increase from Fiscal Year 2009 which will help the CPSC continue to protect the American people from dangerous and unsafe products. Although the CPSC continues to work through implementation issues related to the Consumer Product Safety Improvement Act, I support the Act, and the CPSC's continuing efforts to implement it in a fair and equitable manner, and the funding included in this bill will enable it to do that.

The bill also includes increased funding for the Inspectors General of the Department of the Treasury ($30 million), the Federal Deposit Insurance Corporation ($38 million) and the SEC ($4.4 million), to enhance their respective abilities to ensure that the agencies are functioning effectively and without wasting taxpayer dollars. In addition, it requires the Department of the Treasury to report to Congress on the progress of the entities overseeing the Troubled Assets Relief Program (TARP) in implementing their recommendations for TARP reform, and protecting taxpayer investments.

To help stimulate the economy, the bill includes almost $850 million, an increase of more than $230 million, in funding to the Small Business Administration (SBA). These funds will enable the SBA to provide $28 billion in new loans to small businesses despite the continuing credit crunch, as well as $25 million in new mirco-lending. In addition, it provides $110 million for Small Business Development Centers and $8 million for technical assistance to low-income small business owners.

It also includes $244 million, an increase of $137 million from Fiscal Year 2009, for Community Development Financial Institutions, which help provide credit to low-income communities. The funding includes $80 million to launch a competitive grant program for the purpose of renovating and developing low-income housing.

And I am particularly pleased to say that, despite attempts in committee and on the floor to cut this funding in half, the bill includes $100 million in Help America Vote Act (HAVA) funding to enable states to improve the administration of elections and protect the integrity of the vote count. Voting is the foundation of our democracy—it is the right through which we preserve all others. Everything of value must be auditable, and that is especially true of our votes. That is why it is so important that states using paperless systems have all the funding they need to convert to paper ballot voting systems before the next general election, and that all states have the funding they need to conduct audits of electronic vote tallies.

Although it has been argued that the states have not claimed all of their appropriated HAVA funding, and that they therefore must not need it, this argument disregards an important fact. In order to claim their HAVA funding, States must first appropriate 5 percent matching funds from their own coffers. This was extremely challenging in 2008, given the crushing fiscal burdens on States simply to meet their basic fiscal needs. And Fiscal Year 2009 bill that appropriated additional HAVA funding was not enacted into law until March 2009; therefore, it is too early to determine how many states will be able to begin appropriating the required matching funds as the economic recovery progresses. Therefore, it is not that the states do not need this money; it is that they cannot afford it. This is why my Voter Confidence and Increased Accessibility Act of 2009, which would require paper ballot voting systems and routine random audits as a national standard, removes the matching funds requirement.

In 2010, seven entire states and counties in a dozen others will not be able to independently verify the electronic tallies in their elections unless they use their HAVA funding to deploy accessible paper ballot voting systems now. Every jurisdiction in the country that has made a voting system change since 2006 has done this. It is time to make it a national standard. I thank the Subcommittee Chairman SERRANO for his staunch support for and defense of this funding, and for engaging in a colloquy on the floor with me about it earlier today.

This bill funds many agencies that play a critical role in protecting consumers, investors and taxpayers, and in stimulating the economy, and I urge my colleagues to support it.

RESTORE OUR AMERICAN MUSTANGS ACT

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mrs. CAPPS. Mr. Speaker, I rise today in support of H.R. 1018, the Restore Our American Mustangs Act. This timely legislation would help ensure the safety of wild horses and burros while saving the American tax payers millions of dollars. This is commonsense legislation that will establish a humane process for managing the large population of free-roaming horses and burros in the West.

The American horse is a symbol of the American West, yet we have failed to responsibly manage this great animal. The current BLM management system consists of forcing these wild horses to roam land that is too small to support them and then rounding up excess horses to be sold, adopted, or slaughtered. This process is inhumane, ineffective, and very expensive.

This bill will improve our current system in several ways.

First, the BLM currently rounds up thousands of perfectly healthy horses and places them in holding facilities to await adoption or slaughter. By strengthening the adoption process and utilizing contraception methods, as this bills proposes, we will drastically reduce the number of excess horses, thus reducing the need for the expensive holding facilities.

Second, this legislation will close a loophole that allows horses and burros to be sold for slaughter. While there are no slaughter houses in the United States, this loop-hole allows people to buy excess horses and ship them to Mexico to be slaughtered. This is clearly not the intent of the current law and we must close this shameful loop-hole.

Third, this bill will save the tax payer millions of dollars. Holding facilities are very expensive. In fact, in 2008 alone, the BLM spent a third of its budget, $27 million, on the upkeep and operation of holding facilities.

And finally, this legislation will end the BLM's practice of constantly reducing the range size for wild horses and burros. Specifically, this bill urges the BLM to restore wild horses to the full 19 million public land acres that were originally designated for their habitat.

Mr. Speaker, the Restore Our American Mustangs Act is good legislation for both wild horses and tax payers. We must pass this legislation and implement these humane policies to protect this symbol of the American West.

I urge all of my colleagues to join me in the supporting this timely legislation.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. GRAVES. Madam Speaker, on Friday July 17, 2009 I was unable to be in Washington, DC due to a funeral and thus missed rollcall votes No. 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, and 592. Had I been

present, I would have voted "yea" on No. 578, 579, 580, 581, 583, 585, 586, 587, 588, 589, 590 and "nay" on No. 573, 574, 575, 576, 577, 591, and 592.

HONORING JAMES CULBERTSON

HON. CHRISTOPHER JOHN LEE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. LEE of New York. Madam Speaker, it is with great pride that I rise today to congratulate James Culbertson of Dansville, NY on being named New York State's County Clerk of the Year. This is a true testament to his remarkable contributions to improving the lives of the people in Livingston County.

Mr. Culbertson is currently in his fourth term as Livingston County Clerk. In 2008, Culbertson was named President of the New York State Association of County Clerks and is the second Livingston County Clerk to ever hold the position.

Mr. Culbertson has significantly reduced red tape for Livingston County residents by implementing and perfecting a state-of-the-art records management system. This achievement made Livingston the state's first county to offer a complete, comprehensive records solution to benefit its constituents.

Thus, Madam Speaker, in recognition of his steadfast dedication to improving the lives of Livingston County residents, I ask this Honorable Body to join me in congratulating Mr. Culbertson on being named New York State's County Clerk of the Year.

LAKE COUNTY ELECTRICIANS JATC GRADUATES

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. VISCLOSKY. Madam Speaker, it is with great sincerity and admiration that I offer congratulations to several of Northwest Indiana's most talented, dedicated, and hardworking individuals. On Friday, July 31, 2009, the Lake County Electricians Joint Apprenticeship and Training Committee (JATC) will honor the class of 2009 at their annual Apprentice Completion Banquet, which will be held at the Avalon Manor Banquet Hall in Merrillville, Indiana.

This year, the Lake County Electricians JATC will be recognizing and honoring twenty-nine graduates who have completed the apprentice training. This year's graduates are: Jake Archambault, Jennifer Batka, Bryan Bogacz, Brett Bormann, Steve Brumley, Kelly Carlson, Jonathan Chariton, Noble Dennie, Jake Duttlinger, Andrew Filipowski, Theresa Gibbs, Josh Hardebeck, Nick Hardesty, Matt Marckese, Justin Marcotte, Joe Michaels, Jonathan Moran, Jon Moyado, Mike Nelleman, Ben O'Neall, Jon Orzachowicz, Chris Roark, Kyle Spicer, Jason Tampauskas, Joe Thomas, Nick Trinidad, Andy Vlachos, Arnell Washington, and John Yaksic.

Northwest Indiana has a rich history of excellence in its craftsmanship and loyalty by its tradesmen. These outstanding graduates all exemplify these traits. They have mastered their trade and have demonstrated their loyalty to both the union and the community through their commitment, hard work, and selfless sacrifice.

Madam Speaker, I ask that you and my other distinguished colleagues join me in congratulating these committed, hardworking individuals. Along with the other extraordinary men and women of Northwest Indiana's unions, these individuals have contributed in many ways to the growth and development of the economy in Indiana's First Congressional District, and I am very proud to represent them in Washington, DC.

EARMARK DECLARATION

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. KINGSTON. Madam Speaker, I submit the following:

SAVANNAH HARBOR EXPANSION, GA

Requesting Member: Congressman JACK KINGSTON

Bill Number: H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, 2010

Account: Corps of Engineers—Construction

Legal Name of Requesting Entity: Corps of Engineers, Savannah District

Address of Requesting Entity: 100 West Oglethorpe Avenue, P.O. Box 889, Savannah, Georgia, 31402

Description of Request: Savannah Harbor Expansion Project construction funding to develop plans and specifications and the Project Partnership Agreement required before construction can start to deepen the harbor channel from the current 42 foot channel to a depth of as much as 48 feet.

ATLANTIC INTRACOASTAL WATERWAY, GA

Requesting Member: Congressman JACK KINGSTON

Bill Number: H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, 2010

Account: Corps of Engineers—Operations and Maintenance

Legal Name of Requesting Entity: Corps of Engineers, Savannah District

Address of Requesting Entity: West Oglethorpe Avenue, P.O. Box 889, Savannah, Georgia, 31402

Description of Request: dredging trouble spots on the waterway and for general maintenance of the Georgia portion of the Intracoastal Waterway

ATLANTA ENVIRONMENTAL INFRASTRUCTURE, GA

Requesting Member: Congressman Jack Kingston

Bill Number: H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, 2010

Account: Corps of Engineers—Construction

Legal Name of Requesting Entity: Corps of Engineers, Mobile District

Address of Requesting Entity: P.O. Box 2288, Mobile, Alabama 36628

Description of Request: sewer system repairs

BIOFUELS, BIOPOWER AND BIO MATERIALS, UGA

Requesting Member: Congressman JACK KINGSTON

Bill Number: H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, 2010

Account: DOE–EERE Legal Name of Requesting Entity: University of Georgia

Address of Requesting Entity: Athens, GA

Description of Request: to develop biomass processing, biochemical and thermochemical technologies, and train the future workforce so they can satisfy the needs of a growing new industry

GEORGIA SOUTHERN UNIVERSITY BIODIESEL RESEARCH

Requesting Member: Congressman JACK KINGSTON

Bill Number: H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, 2010

Account: DOE–EERE

Legal Name of Requesting Entity: Georgia Southern University

Address of Requesting Entity: P.O. Box 8158, Statesboro, GA 30460

Description of Request: research in the formulation, generation, transfer and combustion of bio-fuels that will combine multiple disciplines (Biology, Chemistry and Engineering) to address the production requirements for viable and sustainable energy substitutes derived from non-food biomass sources.

RECOGNIZING THE CREW OF THE RB–47H SHOT DOWN OVER INTERNATIONAL WATERS BY THE SOVIET UNION ON JULY 1, 1960

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. WITTMAN. Madam Speaker, I rise today to recognize Major Willard Palm, Captain Freeman B. Olmstead, Captain John McKone, and the crew of the RB–47H shot down over international waters by the Soviet Union on July 1, 1960. This recognition is well-deserved and highlights the unending service and integrity of our men and women in uniform.

The plane was crewed by Major Willard Palm as Aircraft Commander; Captain Freeman B. Olmstead as pilot; Captain John McKone as navigator.

Freeman B. Olmstead was born in Elmira, New York, and brought up in a devout Episcopal family. He earned a bachelor's degree in history from Kenyon College, Gambier, Ohio. He entered active duty with the Air Force in 1957.

McKone was a native of Tonganoxie, Kansas, and he graduated from Kansas State University with a bachelor's degree in history in 1954. He entered active duty on March 15, 1955.

On July 1, 1960 a United States Air Force RB–47H based at Forbes Air Force Base, Kansas, departed from Brize-Norton Royal Air Force Base in England. The flight's planned route kept the plane over international waters.

A MiG–19 fighter intercepted the American bomber over the Barents Sea. The MiG eventually opened fire on the RB–47H. Olmstead and McKone successfully ejected and survived only to be picked up by a Soviet fishing vessel. The aircraft commander, however, perished in the Barents Sea.

Ten days after the shootdown, Soviet Premier Nikita Khrushchev announced that they

had shot down the bomber and captured the two crewmen. The pair were imprisoned in Moscow's Lubyanka prison, and accused by the Soviets of espionage, punishable by death, for allegedly violating the Soviet sea frontier.

Shortly after the inauguration of President John F. Kennedy, Premier Nikita Khrushchev extended an offer to free Olmstead and McKone quickly—but with three terms later agreed to.

After 7 months of imprisonment and interrogation the guards drove Captain Freeman B. Olmstead and Captain John McKone to the American Embassy. They were handed over to U.S. officials to be reunited with their families without having disclosed any information to the Soviet government.

As a member of the Committee on Armed Services, I am continuously struck by the integrity of our servicemembers. With examples like Captain Freeman B. Olmstead and Captain John McKone, it is clear where this integrity comes from.

EARMARK DECLARATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Ms. GRANGER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I, KAY GRANGER, submit the following information regarding earmarks I received as part of H.R. 3183, the Energy & Water Appropriations bill for FY2010. For the project titled "Central City, Fort Worth, Upper Trinity River Basin, TX," which received $7,200,000 in H.R. 3183, Corps of Engineers Construction Account, the legal name and address of the receiving entity is U.S. Army Corps of Engineers, Fort Worth District, 819 Taylor Street, Fort Worth, TX 76102. It is my understanding that the Corps of Engineers will use funds for bypass channel construction, valley storage construction, and geotechnical exploration. The aging levee system is no longer adequate to provide protection for an area adjacent to downtown Fort Worth that is undergoing revitalization. The U.S. Army Corps of Engineers recommends in the final Environmental Impact Statement an integrated, comprehensive solution for flood control in this area to include transportation, environmental restoration and community redevelopment components in constructing a 1.5 mile flood-control bypass channel. Local cost share for the project is over $180 million.

For the project titled "Farmers Branch, Tarrant County, TX," which received continuing authority in H.R. 3183, Corps of Engineers Sec. 206 account, the legal name and address of the receiving entity is U.S. Army Corps of Engineers, Fort Worth District, 819 Taylor Street, Fort Worth, TX 76102. The goal of this project is to improve the channelization of Farmers Branch flowing through the center of White Settlement, TX, to mitigate major flooding problems affecting family residential properties and commercial entities. The recommended plan consists of a grass and rock-lined channel between White Settlement Road and Las Vegas Trail. The City has passed bonds totaling $11.5 million for the project.

For the project titled "Upper Trinity River Basin, TX," which received $500,000 in H.R. 3183, Corps of Engineers Investigations Account, the legal name and address of the receiving entity is U.S. Army Corps of Engineers, Fort Worth District, 819 Taylor Street, Fort Worth, TX 76102. Preliminary watershed-wide feasibility investigations identified 88 measures for more detailed study in the Upper Trinity River Basin. Subsequently, seven interim feasibility studies have been initiated with 11 cities, one county, and one special district to undertake more detailed studies for the purposes of addressing flood risk management, ecosystem restoration and recreation opportunities within these areas. It is my understanding these funds would be used to continue these ongoing studies to protect the water supply for approximately 1.6 million people.

INTERPRETING H.R. 2454

HON. RICK LARSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. LARSEN of Washington. Madam Speaker, I rise today to submit my view regarding Congress's intent to allow Direct Service Industries served by the Bonneville Power Administration to receive allowances under Section 782 of H.R. 2454.

The definition of "electricity local distribution company" in Section 783 does not include federal power marketing administrations such as the Bonneville Power Administration. I believe that Congress intends that Direct Service Industries served by Bonneville on the date of enactment of this Act are part of eligible industrial sectors and may receive allowances under Sections 782(e) and 764 of this Act.

Thank you for the opportunity to provide this clarification, and thank you to Representative JAY INSLEE of Washington for his work in securing protections for energy-intensive, trade-exposed industries in energy reform legislation.

INTERPRETING H.R. 2454

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. INSLEE. Madam Speaker, I rise today to express my support for Representative RICK LARSEN's interpretation of Section 782 of H.R. 2454. As a principal author of legislative provisions in H.R. 2454 to protect energy-intensive, trade-exposed industries, I too believe that Congress intends that Direct Service Industries served by Bonneville on the date of enactment of this Act are part of eligible industrial sectors and may receive allowances under Sections 782(e) and 764 of this Act.

Thank you for the opportunity to provide this clarification.

INTRODUCTION OF THE BROWNFIELDS REMEDIATION PERMANENT TAX INCENTIVE ACT

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. BECERRA. Madam Speaker, I rise today to introduce the "Brownfields Remediation Permanent Tax Incentive Act" with Representative PAUL RYAN. This legislation will provide a permanent tax incentive for developers to clean up polluted properties, clearing the way for new economic development in our communities.

Brownfields are neglected or abandoned land sites whose redevelopment is complicated by the potential presence of hazardous substances. The Environmental Protection Agency estimates that there are over 450,000 of these sites in the United States. From abandoned warehouses and shuttered gas stations, to former factory sites and abandoned residential buildings, these sites could be put to productive use if developers undertook environmental remediation efforts to prepare them for redevelopment.

Such remediation efforts can bring diverse benefits to our communities. In addition to reducing exposure to hazardous substances, they can create jobs through new construction projects, grow local tax bases, and help revitalize neighborhoods whose economic development efforts are weighed down by abandoned structures and housing blight. Brownfield remediation is also an environmentally sound policy that encourages developers to use existing developed land rather than starting new construction on undeveloped land or farmland.

However, brownfields redevelopment is often an expensive and unpredictable undertaking. The Brownfields Remediation Permanent Tax Incentive Act would encourage developers to tackle these important projects by making the existing Section 198 brownfield tax expensing provision permanent, thus providing a measure of certainty and facilitating long-term planning for those interested in undertaking these important cleanup projects.

Madam Speaker, I urge my colleagues to support the Brownfields Remediation Permanent Tax Incentive Act to help rehabilitate these properties that would otherwise lie vacant, and spur economic investment and job creation in our communities.

HONORING DOMINIC MAZZA

HON. CHRISTOPHER JOHN LEE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. LEE of New York. Madam Speaker, it is with great pride that I rise today to pay tribute to a dedicated public servant who I am proud to call one of my constituents. Dominic Mazza, who has served as Livingston County Administrator for more than 20 years, has given much of his life to serving the people of New York State.

Prior to serving as County Administrator, Mr. Mazza held various financial positions

throughout New York State. He assisted with federal and state aid issues for the City of Syracuse and was the Director of Financial and Administration for the City of Cortland. In 1975, he graduated Magna Cum Laude from the State University of New York at Utica where he received a Bachelors of Science degree in Business and Public Administration. In addition, Mr. Mazza also received a Master's degree in Public Administration in 1985 from the prestigious Maxwell School of Public Affairs of Syracuse University.

Thus, Madam Speaker, I ask this Honorable Body to join me and the people of Livingston County in thanking Mr. Mazza for his outstanding service and wish him well as he begins his much-deserved retirement.

THE 35TH ANNIVERSARY OF THE INVASION OF CYPRUS

HON. MICHAEL E. McMAHON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. McMAHON. Madam Speaker, I rise today to recognize the 35th anniversary of the division of the Island of Cyprus.

Thirty-five years ago, Turkish troops invaded and occupied the island of Cyprus and divided a community. While time may heal all wounds, the wounds of the division of Cyprus remain fresh today with thousands of Turkish troops continuing to occupy the northern third of the Island.

The Republic of Cyprus is a member of the European Union, a strong ally of the United States and a stable democracy in the Mediterranean. The Republic has opened the benefits of EU citizenship to both Greek and Turkish Cypriots on both sides of the divide. Since 2003 there has been confidence building exchanges and partnerships between the two communities and the residents have the ability to travel freely between the Republic of Cyprus and the occupied North.

With all these positive developments happening, some things still remain all too intractable. The number of Turkish troops in the North is the same as those present thirty-five years ago, and Greek religious sights in the North still suffer from neglect. Communities may be free to travel but the Island is still divided based on ethnicity.

Bringing the Greek and Turkish communities together in a bi-zonal, bi-communal federation is the goal of President Obama, the European Union and most importantly it is the goal of the Cypriot people. On the thirty-fifth anniversary of the division of Cyprus, I urge both Cypriot President Demetrius Christofias and Turkish Cypriot leader Mehmet Ali Talat to redouble their efforts to insure the removal of Turkish troops, free movement between the Greek and Turkish communities and for a final end to the division of the Island. The time is now for us as a Congress and with our President's commitment to move Cyprus to a future of peace and prosperity.

RECOGNIZING THE ARC OF GREATER PRINCE WILLIAM/INSIGHT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize The Arc of Greater Prince William/INSIGHT, Incorporated (The Arc) and the support they provide for people with intellectual and developmental disabilities.

The Arc is an affiliate of The Arc of the United States and The Arc of Virginia and is a tireless advocate for the rights and full participation of all people with intellectual and developmental disabilities. The Arc provides support services to residents of the community that help to realize the organization's broader mission.

The assistance provided by The Arc in raising a child with disabilities begins early in life with their child care services. Children ages 6 weeks to 21 years can seek therapeutic and educational activities at the Muriel Humphrey Center in Dale City, Virginia. At the Robert Day Child Care Center in Manassas children enjoy recreational activities that encourage healthy socialization and friendship. Recognizing the added stress and time commitments that accompany raising a child with disabilities, The Arc offers "Parents Night Out" and respite care programs. Prince William families are not alone and have a dedicated and capable partner in The Arc of Greater Prince William.

The Arc extends its support beyond high school education with a number of programs designed to give adults with intellectual and developmental disabilities a well-rounded life experience. In the vocational services program individuals are taught ground maintenance, lawn care and janitorial skills. At The Arc's "Spinaweb" facility in the Town of Occoquan, weavers produce fabric for clothing and other woven items.

Young adults are encouraged to continue to develop their social skills through bowling leagues and various recreational activities. The Arc has nine group homes which allow adults to enjoy an independent and less structured living environment. These programs afford individuals the opportunity to grow and develop their skills and social networks. This is an opportunity that would not be so readily available without The Arc.

This year, The Arc of Greater Prince William celebrates its 45th Anniversary. Since 1964, the organization has built a remarkable infrastructure of programs and facilities. The residents of Prince William are served well by the diverse and comprehensive selection of assistance programs offered by The Arc.

Madam Speaker, I ask that my colleagues join me in applauding the efforts of The Arc of Greater Prince William/INSIGHT, Incorporated on behalf of people with intellectual and developmental disabilities. I would like to express my personal gratitude for their work and my admiration for the mission they seek to accomplish.

PERSONAL EXPLANATION

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. WESTMORELAND. Madam Speaker, due to a family member's medical condition on July 17, 2009, I missed a number of votes. Had I been present, I would have voted the following:

"No" on table Appeal of the Ruling of the Chair, rollcall No. 573;

"No" on ordering the Previous Question, rollcall No. 574;

"No" on agreeing to the Resolution Rule providing for the consideration of H.R. 1018, the Restore Our American Mustangs Act, rollcall No. 575;

"No" on agreeing to the Hastings of Washington Part B Substitute Amendment, rollcall No. 576;

"No" on passage the Restore Our American Mustangs Act, rollcall No. 577;

"Aye" on agreeing to the Heinrich amendment, rollcall No. 578;

"Aye" on agreeing to the Cao amendment, rollcall No. 579;

"Aye" on agreeing to the Blackburn amendment, rollcall No. 580;

"Aye" on agreeing to the Campbell amendment, rollcall No. 581;

"Aye" on agreeing to the Flake amendment, rollcall No. 582;

"Aye" on agreeing to the Flake amendment, rollcall No. 583;

"Aye" on agreeing to the Flake amendment, rollcall No. 584;

"Aye" on agreeing to the Flake amendment, rollcall No. 585;

"Aye" on agreeing to the Flake amendment, rollcall No. 586;

"Aye" on agreeing to the Flake amendment, rollcall No. 587;

"Aye" on agreeing to the Hensarling amendment, rollcall No. 588;

"Aye" on agreeing to the Hensarling amendment, rollcall No. 589;

"Aye" on agreeing to the Hensarling amendment, rollcall No. 590;

"No" on motion to recommit with instructions, rollcall No. 591; and

"No" on passage making appropriations for energy and water development and related agencies, FY 2010, rollcall No. 592.

EARMARK DECLARATION

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. DANIEL E. LUNGREN of California. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I rise today to submit the following information regarding earmarks I received as part of the Transportation, Housing, and Urban Development, and Related Agencies FY10 Appropriations Act.

The following earmarks were requested by my office and are listed for funding in this bill:

State Route 99 Interchange Improvement Project, CA

Requesting Member: DANIEL E. LUNGREN

Bill Number: FY10 Transportation, HUD Appropriations

Account: FHA—Transportation and Community & System Preservation

Requesting Agency: City of Galt

Requesting Agency Address: 495 Industrial Drive, Galt, CA 95632

Amount: $500,000

Funding this project will provide for the reconstruction of the Central Galt (C Street)/SR 99 Interchange, which is critical to relieve congestion, improve regional transportation mobility, and ultimately alleviate a deficit in adequate emergency services access.

This project represents an appropriate use of taxpayer funds by elevating the ingress and egress of a major trade corridor to standards of safety commensurate with the impacts to the effected community.

International Drive Extension/Folsom South Canal Bridge, CA

Requesting Member: DANIEL E. LUNGREN

Bill Number: FY10 Transportation, HUD Appropriations

Account: FHA—Surface Transportation Priorities

Requesting Agency: City of Rancho Cordova

Requesting Agency Address: 2729 Prospect Park Dr., Rancho Cordova, CA 95670

Amount: $500,000

The International Drive Extension and Folsom South Canal Bridge project will construct a new six-lane extension of International Drive from Kilgore Road to Sunrise Boulevard. The waterway creates a barrier that cuts the City in half from north to south.

This project represents an appropriate use of taxpayer funds by facilitating the crossing of a U.S. Bureau of Reclamation waterway which bisects the City of Rancho Cordova, allowing emergency service access across this present barrier.

ADA Infrastructure Improvements

Requesting Member: DANIEL E. LUNGREN

Bill Number: FY10 Transportation, HUD Appropriations

Account: Housing and Urban Development (HUD)—Economic Development Initiatives (EDI)

Requesting Agency: City of Citrus Heights

Requesting Agency Address: 6237 Fountain Square Drive, Citrus Heights, CA 95621

Amount: $450,000

Disability access is limited in several identified locations throughout the City of Citrus Heights, and the City has been and continues to be the subject of lawsuits from advocates in the disability rights community. This funding will cover the cost of new ADA-compliant infrastructure. Citrus Heights is nearly 100% built-out, extinguishing the stream of development fees which might normally provide for this infrastructure improvement.

This project represents an appropriate use of taxpayer funds by providing for the elevation of city facilities to meet the requirements of ADA compliance.

LETTER FROM THE HIGH-PERFORMANCE BUILDINGS CAUCUS RE: ENERGY AND WATER APPROPS OF 2010

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. CARNAHAN. Madam Speaker, I submit the following letter:

CONGRESS OF THE UNITED STATES,
Washington, DC, July 15, 2009.

Hon. DAVID R. OBEY,
Chairman, Committee on Appropriations.
Hon. ED PASTOR,
Acting Chairman, Subcommittee on Energy and Water Development.
Hon. JERRY LEWIS,
Ranking Member, Committee on Appropriations.
Hon. RODNEY FRELINGHUYSEN,
Ranking Member, Subcommittee on Energy and Water Development.

DEAR CHAIRMEN AND RANKING MEMBERS: As members of the High-Performance Buildings Caucus, we commend your work on the Energy and Water Appropriations Act of 2010. This Act makes investments in all areas of energy and makes critical investments in our nation's infrastructure. Of those investments, we hope you will give priority consideration to the Energy Efficient Buildings Systems Hub.

As a Caucus, we have consistently advocated for investments in a particular element of our nation's infrastructure—our built environment. Each year our nation's homes, offices, schools, and other buildings consume 70 percent of the electricity in the U.S., emit 39 percent of the nation's carbon dioxide emissions, and our citizens spend approximately 90 percent of their time indoors. Investing in the research and development of high-performance building technologies can have a direct impact on decreasing our nation's carbon footprint, reducing costs and improving building energy efficiency.

In light of these facts, the Department of Energy fiscal year 2010 budget introduced a request for eight Energy Innovation Hubs, each focused on a specific national energy related topic. These Energy Innovation Hubs would function in a new structure modeled after the research laboratories involved in the Manhattan Project Labs, Lincoln Labs at MIT that developed radar and AT&T Bell Laboratories that developed the transistor.

According to the Department of Energy, the proposed Energy Efficient Building Systems Hub would:

Develop systems-based approaches to designing commercial and residential buildings that integrate windows and lighting, natural ventilation and HVAC, thermal inertia, on-site energy generation and other factors. Develop building design software with imbedded energy analysis to assist architects and engineers in adopting new technologies for conserving energy. Develop automated operating platforms for real-time optimization of the building control systems, analogous to computer optimization of automobile engine performance.

We understand that during difficult economic and budgetary times, we must be especially careful with federal research investments. It is because of our strong belief in the benefits of energy efficiency gains that we believe that this Energy Innovation Hub will offer the best return for our investment.

While we understand the concerns of the Appropriations Committee regarding possible redundancies within existing initiatives, we hope to work with the Committee and the Department of Energy to address these specific concerns before moving forward. It is our hope that as this legislation moves forward, we will be able to work with you to address this important issue.

Sincerely,

Russ Carnahan, Co-Chair, High-Performance Buildings Caucus; Judy Biggert, Co-Chair, High-Performance Buildings Caucus; Earl Blumenauer, Paul Hodes, Dave Loebsack, Bill Foster, Jay Inslee, Edolphus Towns, David Wu, *Members of Congress.*

H. RES. 529, CONDEMNING THE VIOLENT ATTACK ON THE UNITED STATES HOLOCAUST MUSEUM

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Ms. MCCOLLUM. Madam Speaker, I rise in support of H. Res. 529, which condemns the violent attack on the United States Holocaust Museum on June 10, 2009 and honors the bravery and dedication of Museum employees and security personnel. I also rise to extend my condolences to the family and friends of Stephen Johns who died as a result of this horrible attack.

On June 10, 2009, 89-year-old James von Brunn walked into the United States Holocaust Memorial Museum and opened fire, killing security guard Stephen Johns. This act of violence led to the death of an innocent and admired security guard and wounded an institution meant to remind us where the spread of hatred can lead. Thankfully, the courage and quick action of the museum's security guards prevented further injury and death.

Words of bigotry and racism cannot be ignored; too often they end in hateful actions. From the recent murder of abortion provider Dr. George Tiller to the shooting of two soldiers at a military recruitment center in Arkansas, hate too often materializes into violence with devastating effects for American families and communities. All of us must take it upon ourselves to end the ignorance and false beliefs that lead to discrimination, bigotry and worse. That is the mission of the Holocaust Museum and it is a mission and a message which now rings louder and clearer than ever.

The assault against the Holocaust Memorial Museum, its employees and patrons is also a painful reminder of the public safety threat we face from gun violence. The United States must work harder to bring an end to gun violence.

Madam Speaker, my thoughts are also with all those who have been victims of hate as well as those who dedicate themselves to increasing tolerance within our communities. I join my colleagues in supporting H. Res. 529.

THE CONTINUING SITUATION ON THE ISLAND OF CYPRUS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to bring renewed attention to the ongoing situation on the island of Cyprus.

On May 23, 2008, the Turkish Cypriot leader, Mehmet Ali Talat, and the Greek Cypriot leader, Demetris Christofias, reaffirmed their commitment to a bi-zonal, bi-communal federation with political equality as defined by relevant Security Council resolutions. This will include a federal government with a single international personality as well as a Turkish Cypriot constituent state and a Greek Cypriot constituent state, both of equal status.

If the process to reach a settlement is derailed, I'm concerned that it will take years to resuscitate negotiations. The issues facing the two communities are difficult, but they are not insurmountable.

Five years ago, the inhabitants of the island participated in a referendum put forward by the United Nations under Secretary General Kofi Annan. The Annan Plan, to which it is often referred, foresaw a bi-communal, bi-zonal federation based on political equality. Unfortunately, it was overwhelmingly rejected by Greek Cypriots in 2004 despite vast support by Turkish Cypriots.

The Annan Plan was the product of intense negotiations conducted under the auspices of the United Nations Secretary General between the Turkish Cypriots, Greek Cypriots, Turkey, and Greece. It was the first plan since the conflict began to be submitted for public approval. In addition, it struck a fair compromise between the two sides on the island and was supported by both the United States and the European Union. Had it been accepted, it would have brought about a resolution to this longstanding separation of the island and contributed to political stability in this region of the world.

I was hoping the outcome would meet the fundamental interests of the parties, including economic and political security for all Cypriots, and put an end to the island's division. However, with the rejection of the Annan Plan by the Greek Cypriots, I must ask my fellow colleagues to join me in continuing to work with good faith and determination to build a brighter future for all the people of Cyprus. The international community should keep the promises made in 2004 to end the isolation of the Turkish Cypriots, given their support for a negotiated settlement.

Madam Speaker, the leaders on both sides of this conflict will require a strong political will to overcome the difficult issues that the process to reconciliation necessitates. The United States should do all it can to support this process and avoid any steps which would undermine the leaders of the various parties.

EARMARK DECLARATION

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. WHITFIELD. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 2010 Energy and Water Appropriations Act, the FY 2010 Transportation Treasury Housing and Urban Development Appropriations Act, and the FY 2010 Education, Labor, Health and Human Services Appropriations Act.

Requesting Member: Congressman ED WHITFIELD

Bill Number: H.R. 3183

Account: Section 205

Legal Name of Requesting Entity: City of Hopkinsville

Address of Requesting Entity: 101 North Main Street, Hopkinsville, KY 42241

Description of Request: Funding will be used to study the South Fork of the Little River to reduce 100 year flood levels in Hopkinsville by 2.6–4.9 feet. The agency that should provide the funding is the Corps of Engineers and the account is Section 205.

Requesting Member: Congressman ED WHITFIELD

Bill Number: H.R. 3183

Account: Investigations

Legal Name of Requesting Entity: City of Paducah

Address of Requesting Entity: 300 South 5th Street, Paducah, KY 42001

Description of Request: Funds will be used ($44,000) for the rehabilitation of the current flood control system will involve repair/replacement of pumping station equipment, corrugated pipes, concrete, and other appurtenant features. This is considered a levee safety issue. This project was authorized in the 2007 Water Resources Development Act.

Requesting Member: Congressman ED WHITFIELD

Bill Number: H.R. 3183

Account: O and M

Legal Name of Requesting Entity: Hickman-Fulton County Riverport Authority

Address of Requesting Entity: 625 Catlett Street, Hickman, KY 42050

Description of Request: This funding ($44,000) provides for maintenance of an off-river harbor channel extending from the main channel of the Mississippi River along the City. Annual dredging is necessary to ensure maximum efficiency of the Harbor. This project will provide vital economic development and community growth.

Requesting Member: Congressman ED WHITFIELD

Bill Number: H.R. 3183

Account: Other Defense Activities—Health, Safety, and Security

Legal Name of Requesting Entity: Department of Energy

Address of Requesting Entity: Department of Energy Washington, D.C. 20585

Description of Request: This funding ($1,000,000) will be used to assess the health of DOE contract workers in Paducah, KY to detect selected occupational illnesses at an early stage. This funding will help screen for health problems, which will save taxpayers' money in the long-run. The agency that should provide the funding is the Department of Energy and the account is Other Defense Activities—Health, Safety, and Security.

Requesting Member: Congressman ED WHITFIELD

Bill Number: H.R. 3183

Account: Construction

Legal Name of Requesting Entity: Nashville Army Corps of Engineers

Address of Requesting Entity: P.O. Box 1070, Nashville, TN 37202

Description of Request: This project consists of constructing a completely new lock and dam structure, which is vital to the movement of goods through the inland waterways system. The project will have an average annual benefit of $70.7 million when completed. Expanding Kentucky Lock will help protect hundreds of jobs and help ship products promptly to more than 23 other states. The agency that should provide the funding ($1,000,000) is the Corps of Engineers and the account is Construction.

Requesting Member: Congressman ED WHITFIELD

Bill Number: H.R. 3183

Account: Construction

Legal Name of Requesting Entity: Nashville Army Corps of Engineers

Address of Requesting Entity: P.O. Box 1070, Nashville, TN 37202

Description of Request: The rock foundation under the dam continues to deteriorate and foundation seepage pressures have increased, which prompted the Corps to begin this major rehabilitation. Catastrophic failure of the dam could result in loss of life and massive destruction of property downstream. The agency that should provide the funding ($123,000,000) is the Corps of Engineers and the account is Construction.

Requesting Member: Congressman ED WHITFIELD

Bill Number: H.R. 3183

Account: Construction

Legal Name of Requesting Entity: Louisville Army Corps of Engineers

Address of Requesting Entity: P.O. Box 59, Louisville, KY 40201

Description of Request: This strategic reach of the Ohio River provides a connection between the Mississippi River, Tennessee River, and Cumberland River. More tonnage passes this point than any other place in America's inland navigation system. Traffic at the Olmsted project is projected to exceed 113 million tons by 2020. This project will facilitate the movement of goods throughout the country. The agency that should provide the funding ($109,790,000) is the Corps of Engineers and the account is Construction.

Requesting Member: Congressman ED WHITFIELD

Bill Number: FY 2010 Labor, Health and Education Appropriations Bill

Account: Elementary and Secondary Education (includes FIE)

Legal Name of Requesting Entity: Reading is Fundamental

Address of Requesting Entity: 1825 Connecticut Ave. NW Washington, D.C. 20009

Description of Request: Reading Is Fundamental enhances child literacy by providing millions of underserved children with free books for personal ownership and reading encouragement from the more than 18,000 locations throughout all fifty states, Washington, D.C., Guam, Puerto Rico, and the U.S. Virgin Islands.

Requesting Member: Congressman ED WHITFIELD

Bill Number: FY 2010 Labor, Health and Education Appropriations Bill

Account: Higher Education (Includes FIPSE)

Legal Name of Requesting Entity: Breathitt Veterinary Center (BVC)

Address of Requesting Entity: 715 North Drive, Hopkinsville, KY 42240

Description of Request: The funding ($350,000) will be used for teaching and Laboratory Equipment purchase, installation, and maintenance at the Breathitt Veterinary Center in Hopkinsville, KY. Currently, the BVC is a Biological Safety Level (BSL) 2 facility, employing over 50 people, but serving a 150 mile radius to research, diagnose, and report bioterrorism and high impact disease agents in the food supply.

Requesting Member: Congressman ED WHITFIELD

Bill Number: FY 2010 Labor, Health and Education Appropriations Bill

Account: Higher Education (Includes FIPSE)

Legal Name of Requesting Entity: Western Kentucky Community and Technical College

Address of Requesting Entity: 4810 Alben Barkley Drive, Paducah, KY 42002

Description of Request: Western Kentucky Community and Technical College is proposing to develop a skilled crafts training center in Graves County, Kentucky. Funds have been dedicated to purchase the facility, but federal funds are needed for equipment purchases to enhance automotive and diesel technology programs to facilitate training in the automotive industry, which will help attract businesses to the area. ($250,000)

Requesting Member: Congressman ED WHITFIELD

Bill Number: FY 2010 Labor, Health and Education Appropriations Bill

Account: Elementary & Secondary Education (includes FIE)

Legal Name of Requesting Entity: McLean County Fiscal Court

Address of Requesting Entity: PO Box 127, Calhoun, KY 42327

Description of Request: The Mclean County Fiscal Court will utilize this project to assist the community and local school children increase their educational opportunities by purchasing equipment necessary for educational purposes for the Livermore Community Library. Funds ($150,000) will be used to purchase computers, teaching equipment, and develop training seminars to facilitate educational opportunities throughout the County.

Requesting Member: Congressman ED WHITFIELD

Bill Number: FY 2010 Labor, Health and Education Appropriations Bill

Account: Higher Education (Includes FIPSE)

Legal Name of Requesting Entity: Madisonville Community College

Address of Requesting Entity: PO Box 127, Calhoun, KY 42327

Description of Request: Funds ($100,000) will be used to purchase instructional equipment to support full implementation of Advanced Industrial Integrated Technology (AIIT) associate degree program developed to provide the multi-skilled maintenance technician demanded by modern manufacturers. The AIIT curriculum can serve as a national model for the effective web-enhanced delivery of technical training.

Requesting Member: Congressman ED WHITFIELD

Bill Number: FY 2010 Transportation, Housing and Urban Development Appropriations Bill

Account: Economic Development Initiatives (EDI)

Legal Name of Requesting Entity: Monroe County Fiscal Court

Address of Requesting Entity: 1194 Columbia Avenue, Tompkinsville, KY 42167

Description of Request: Funds ($250,000) will be used to construct a new market facility that would facilitate economic development and provide added benefits to the local community.

Requesting Member: Congressman ED WHITFIELD

Bill Number: FY 2010 Transportation, Housing and Urban Development Appropriations Bill

Account: Buses and Bus Facilities

Legal Name of Requesting Entity: Lake Cumberland Community Action Agency

Address of Requesting Entity: 23 Industry Drive, Jamestown, KY 42629

Description of Request: Funds ($70,000) will be used to install emergency radios in buses that transport senior citizens to and from their medical appointments in an area that is currently undergoing a Dam safety rehabilitation project, which increases the need for emergency communications.

Requesting Member: Congressman ED WHITFIELD

Bill Number: FY 2010 Transportation, Housing and Urban Development Appropriations Bill

Account: Buses and Bus Facilities

Legal Name of Requesting Entity: Audubon Area Community Services

Address of Requesting Entity: 1800 West Fourth Street, Owensboro, KY 42304

Description of Request: The Bus maintenance facility is needed to help maintain and protect the safety of people who are using this service for transportation purposes. Funding ($1,350,000) will be used to construct this facility.

Requesting Member: Congressman ED WHITFIELD

Bill Number: FY 2010 Transportation, Housing and Urban Development Appropriations Bill

Account: Buses and Bus Facilities

Legal Name of Requesting Entity:

Address of Requesting Entity: 1100 South Liberty Street, Hopkinsville, KY 42240

Description of Request: Pennyrile Allied Community Services works to reduce and eliminate poverty by providing the opportunity for education, training, and work. One main way this mission is accomplished is through transporting people. Funding ($500,000) will be used to purchase on-board security cameras and enlarge and renovate the transit facility on site.

LET'S ENCOURAGE CHARITABLE DONATIONS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. FILNER. Madam Speaker, I recently introduced legislation (H.R. 3248) intended to simplify the charitable giving rules for automobile donations.

As you know, in 2004, Congress enacted legislation that imposed new reporting requirements on individuals and charities for automobile donations. This legislation has had the unintended consequence of reducing the number of automobiles donated to charities in my district. The corresponding loss in revenue and reduction in services offered by these charities has hurt the San Diego region.

To correct this situation, my bill will exempt certain charities from the reporting requirements of the 2004 law. My bill is targeted only to those charities that operate ''in-house'' vehicle donation programs and that retain at least 80% of the proceeds from their vehicle donation programs.

I invite my colleagues to join me as cosponsors of this legislation to simplify the vehicle donation process for charitable organizations across the United States.

EARMARK DECLARATIONS

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. DANIEL E. LUNGREN of California. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I rise today to submit the following information regarding earmarks I received as part of the Labor, Health and Human Services, Education, and Related Agencies FY10 Appropriations Act.

The following earmarks were requested by my office and are listed for funding in this bill:

Aerospace Museum of California Foundation, Inc., McClellan, CA for maintenance of collections

Requesting Member: DANIEL E. LUNGREN

Bill Number: FY10 Labor, HHS, Education, and Related Agencies Appropriations

Account: Institute of Museum and Library Services—Museums and Libraries

Requesting Agency: Aerospace Museum of California Foundation, Inc.

Requesting Agency Address: 3200 Freedom Park Drive, McClellan, CA 95652

Amount: $930,000

This project will provide for the repair of seven aircraft, six of which belong to the Federal Government. There are 150 retired military people that are volunteering their time to repair the aircraft. The volunteer contribution is equal to $620,512.

This project represents an appropriate use of taxpayer funds as it provides for the maintenance of property of the U.S. Government, partnering with volunteer contribution to deliver a maintained educational resource, expounding the importance and history of our aeronautical endeavors.

PERSONAL EXPLANATION

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. WESTMORELAND. Madam Speaker, due to a personal medical condition on July 7, 2009 I missed two votes. Had I been present, I would have voted the following:

''Aye'' on 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. (rollcall No. 478)

''No'' to authorize the Secretary of the Interior to provide an annual grant to facilitate an iron working training program for Native Americans. (rollcall No. 479)

IN RECOGNITION OF THE CONTRIBUTIONS OF THE KOREAN-AMERICAN ASSOCIATION OF NORTHERN VIRGINIA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize the many contributions of the Korean-American Association of Northern Virginia.

The 11th Congressional District of Virginia is blessed by the significant racial, ethnic and religious diversity of its residents. The entire community is enriched by this diversity and benefits greatly from the sharing of cultural customs and traditions. The Korean-American community is a vibrant part of this tapestry and an integral part of the community.

A large percentage of the businesses in the 11th District of Virginia are owned and operated by Korean-Americans and provide jobs, goods and services to the local residents. The work ethic displayed is consistent with so many immigrant groups who have come before and who have contributed to building the United States of America into a great country. Quite often, members of the Korean immigrant community will work multiple jobs in order to succeed and provide homes for their families. Education is highly prized and sought. Honesty, integrity and dignity are values that are instilled at a young age and continue to develop throughout life.

However, transitioning into a new life in a new country can often be overwhelming. Language, customs, educational systems, even the way a person shops for food, can be confusing and frightening. A guiding hand can help address these difficulties.

The Korean-American Association of Northern Virginia, KAANV, provides assistance to ease this transition. This organization works with members of the Korean community to teach the skills that are necessary to function and thrive. The KAANV provides numerous services, one being the KAANV Vocational School which offers classes in English and Spanish, in vocational trades such as electrical licensing, plumbing and pharmaceutical technician, and in job seeking skills such as resume writing and employment examination preparation. The Vocational School educates roughly 700 people each year and gives them the tools that they need in order to become productive members of society.

In addition to the Vocational School, the KAANV sponsors an Annual Job Fair which brings employers, job seekers and employment counselors together under one roof. This year, the Sixth Annual KAANV Job Fair will include employers from both the private and public sectors and is expected to attract the participation of nearly 2,000 area residents.

Madam Speaker, I ask that my colleagues join me in recognizing the Korean-American Association of Northern Virginia for the invaluable services that it provides to the community and for the life changing impacts that its services have on the lives of so many of our family members, neighbors and friends.

LETTER FROM THE SUSTAINABLE ENERGY AND ENVIRONMENT COALITION RE: ENERGY AND WATER APPROPS OF 2010

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. CARNAHAN. Madam Speaker, I submit the following letter:

CONGRESS OF THE UNITED STATES,
Washington, DC, July 15, 2009.

Hon. DAVID R. OBEY,
Chairman, Committee on Appropriations, Rayburn House Office Building, U.S. Capitol, Washington, DC.

Hon. ED PASTOR,
Acting Chairman, Subcommittee on Energy and Water Development, Rayburn House Office Building, U.S. Capitol, Washington, DC.

DEAR CHAIRMAN OBEY AND ACTING CHAIRMAN PASTOR: As members of the Sustainable Energy and Environment Coalition (SEEC), we thank and commend you for your continuing leadership in making the investments in clean energy and energy efficiency technologies that are essential for a transition to a cleaner, more prosperous and independent American energy future.

As a Coalition we believe firmly in the advancement of the technologies that will provide cleaner, more economically and environmentally sustainable energy to every segment of our economy. Further, as members of SEEC we have fought continuously for investments in research and development of renewable energy and energy efficiency technologies that will spawn a new American clean energy economy that will create jobs, reduce our dependence on foreign oil, and arrest the progression of global climate change.

In a meeting on June 16th, 2009, Secretary of Energy Steven Chu expressed to our members his desire for a new American energy future. As a part of his visionary plan to bring this future to reality, the Secretary called for the creation of eight ''Energy Innovation Hubs'' for the advanced research and development of the energy technologies that will allow America to lead the world in a twenty-first century energy economy.

Under the Energy and Water Appropriations, Fiscal Year 2010 legislation, funding has been allocated for the Department of Energy to establish one Energy Innovation Hub. According to the Department of Energy, this Hub would be chartered for the research and development of ''Fuels from Sunlight'' technologies. While we stand with the Secretary of Energy in supporting the research and development of game-changing, twenty-first century fuel technologies, we would like to express support for the establishment of a second Energy Innovation Hub—using existing funding appropriated to the Office of Energy Efficiency and Renewable Energy—for the research and development of ''Energy Efficient Building Systems''.

The creation of an Energy Innovation Hub to research and develop advancements in increasing the energy efficiency of buildings is a high priority for the Secretary and the Department of Energy. As a nation, our built environment accounts for 40 percent of our carbon dioxide emissions, and consumes 70 percent of the electricity from our electric grid. A lack of energy efficiency contributes to higher energy prices and greater greenhouse gas emissions for homes and for businesses in every state. Greater and more widespread energy efficiency in buildings would result in lower energy prices, less greenhouse gas emissions, and less wasted use of our energy resources. Therefore, we would like to work with the Committee on Appropriations, the Subcommittee on Energy and Water Development, and the Department of Energy to realize the creation of an Energy Innovation Hub to research and develop Energy Efficient Building Systems.

Sincerely,

THE MEMBERS OF THE SUSTAINABLE ENERGY AND ENVIRONMENT COALITION,

Russ Carnahan, Jared Polis, Jay Inslee, Paul Hodes, Paul Tonko, Tammy Baldwin, Martin Heinrich, Betsy Markey, Donna Christensen, Peter Welch, Bruce Braley, Mike Honda, Jim McDermott, Ben Ray Luján, Jim Himes, David Loebsack, Members of Congress.

CYPRIOT NEGOTIATIONS

HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mrs. SCHMIDT. Madam Speaker, I rise today in support of the ongoing negotiations between Greek Cypriot leader Demetris Christofias and Turkish Cypriot leader Mehmet Ali Talat. I commend their efforts to advance a peaceful resolution to the decades-old conflict in Cyprus, and I encourage the Obama administration, and others in the international community, to continue to support and facilitate these efforts.

After decades of failed attempts to unite Cyprus, leaders Christofias and Talat reopened direct negotiations in September of 2008. They have made notable progress. Most recently, the two communities agreed to the opening of the Limnitis/Yesilirmak Gate. U.S. Deputy Assistant Secretary of State Matthew Bryza, described this event as a ''concrete contribution to accelerating the efforts of the parties to find a solution.''

Confidence building measures such as the opening of the Limnitis/Yesilirmak Gate are very important steps in the negotiating process. As physical barriers to reunification are removed, so to are the psychological divisions between the Cypriot communities.

Deputy Assistant Secretary Bryza stated that ''We've never been at a point like this where the Cypriot people themselves, their leadership, have designed the ideas that are on the table, without any outside assistance.'' He expressed his confidence that a solution by the end of 2009 is possible. The international community must stand ready to assist both parties as this process moves forward.

I am encouraged by the application of these confidence building measures taken by the Cypriot leaders as a means towards a permanent solution. I urge the Obama administration and the international community to do all it can to unify the island.

RECOGNIZING THE 35TH ANNIVERSARY OF TURKEY'S ILLEGAL INVASION OF CYPRUS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. PALLONE. Madam Speaker, tonight I join my colleagues on the House floor to commemorate the somber 35th anniversary of Turkey's illegal occupation of Cyprus.

On July 20, 1974, Turkey began its brutal invasion of Cyprus, which forced nearly 200,000 Greek Cypriots to flee their homes—making one-third of the Cypriot population refugees in their own country.

Today, Turkey occupies the northern third of the island. It is one of the most militarized areas in the world, with more than 43,000 Turkish soldiers trying to maintain the status quo of the illegal occupation.

The U.S. must do our part to nurture steps towards a united Cyprus. As a member of the Hellenic Caucus, I have joined many of my colleagues in calling on the Administration and the Department of State to urge Turkey to demonstrate that it has the political will necessary for constructive negotiations. A successful settlement effort must take on ground realities into consideration: the two Cypriot communities have a history of living peacefully together. A solution will be a reunified Cyprus that is a bi-zonal and bi-communal federation.

A solution must flow out of the interests of the Cypriots themselves. It is the Turkish Government that needs to show a genuine interest in resolving the dispute. It is in Ankara that leadership must be taken to signal to Turkish Cypriots that they can be free to negotiate a solution. Removal of thousands of Turkish troops from Cyprus is essential to that solution.

When Cypriots were forced to flee their homes 35 years ago, a large number of their properties were unlawfully distributed to tens of thousands of illegal settlers from Turkey. Today, 35 years later, Greek Cypriots, who continue to own these properties, are prevented by Turkey from returning and enjoying their homes and properties.

This past April, the European Court of Justice, ECJ, ruled that the judgment of a court in the Republic of Cyprus must be recognized and enforced by all other EU-member states even if it concerns land situated in the Turkish-occupied areas of Cyprus.

The ECJ landmark ruling reaffirms the territorial integrity of the Republic of Cyprus and once again upholds the undeniable right of all Greek-Cypriots: That they remain the sole owners of properties that were illegally stripped from them.

It is an outrage that approximately 5,000 Cypriot-Americans who own property in the occupied area, but who have no legal recourse. Since Cypriot-Americans cannot return to their illegally-seized property, I believe they should be allowed to seek financial remedies with either the current inhabitants of their land or the Turkish Government itself.

Last Congress, I introduced the bipartisan American Owned Property in Occupied Cyprus Claims Act. Through this legislation, Americans who are being denied access to their property and even their ancestral homes will finally be able to seek restitution. I will once again introduce a similar bill.

While there are many difficulties, hopeful signs of progress do exist. There is ongoing integration that takes place between Greek-Cypriots and Turkish-Cypriots as a result of the nearly 13 million crossings along the cease-fire line that have occurred over the last five years.

Madam Speaker, as we commemorate the 35th anniversary of Turkey's illegal invasion and occupation of Cyprus, I remain hopeful a united Cyprus can become a reality.

RECALLING THE THIRTY-FIFTH ANNIVERSARY OF THE TURKISH INVASION OF CYPRUS

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I rise today to recall the tragic anniversary of the Turkish invasion of Cyprus that occurred on July 20, 1974.

Thirty-five years ago, Turkey attacked the Republic of Cyprus. Tragically, the legacy of that brutal act—43,000 Turkish occupation troops on Cypriot soil—continues to this day. Turkish troops, in blatant disregard for the Rule of Law and the basic rights of the Cypriot people, continue to illegally divide the island into two areas. As a result, the Republic of Cyprus is one of the most militarized areas in the world.

I strongly urge both sides to fully comply with the guiding principles of the July 8, 2006 agreement. This agreement sought to establish working groups to operate together to reunify Cyprus into one bizonal, bicommunal federation. Since September 3, 2008, the leaders of the two communities have held more than 35 rounds of direct talks and those talks are continuing regularly. The July 8 agreement is an important achievement that has given both parties the framework to work toward a permanently unified and free Cyprus.

I commend the opening of Ledra Street in Nicosia that occurred on April 3, 2008 and the recent agreement between the Turkish and Cypriot leaders to open the Limnitis crossing point to Kokkina. These are positive steps toward realizing the goals of the July 8 agreement and toward liberating the Cypriot people.

While the international community may certainly support the Cypriot and Turkish leaders as they work toward a solution, the solution to the illegal occupation of Cyprus must be solved by the Cypriots themselves and any solution must serve the interests of the people of Cyprus. A solution cannot be imposed by outside parties or subject to arbitrary timelines.

Madam Speaker, I remain committed to the goal of a united and free Cyprus. After thirty-five years of illegal occupation, the Cypriot people deserve to be free from division and oppression at last.

REGARDING FURTHER SENATE PROCEEDINGS IN THE SAMUEL KENT IMPEACHMENT MATTER

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. GOODLATTE. Madam Speaker, I rise today to support this resolution urging the Senate to end further proceedings to remove Samuel Kent from his judicial office.

On June 18, 2009, the House of Representatives overwhelmingly voted to impeach Judge Samuel Kent by adopting four, separate articles of impeachment without a single "no" vote.

This House vote was the result of (1) a thorough investigation into Judge Kent's misconduct by the House Judiciary Committee's Task Force on Judicial Impeachment, (2) an investigatory hearing on the matter; (3) a Task Force meeting at which it made a formal recommendation to the full Judiciary Committee that Judge Kent should be impeached, and (4) a full Committee markup of the articles of impeachment.

Indeed, the evidence clearly showed that Judge Kent's misconduct merited the serious step of impeachment. Judge Kent lied to the FBI and DOJ about the nature of his sexual misconduct with court employees. In addition, he pled guilty to felony obstruction of justice and to committing repeated acts of non-consensual sexual contact with court employees. He was sentenced to 33 months in prison for committing felony obstruction of justice, and on Monday, June 15th, he reported to prison and began his prison term.

However, because the Constitution provides that federal judges are appointed for life, Samuel Kent, despite the fact that he was sitting in prison, continued to collect his taxpayer-funded salary of approximately $174,000 per year, continued to collect his taxpayer-funded health insurance benefits, and continued to accrue his taxpayer-funded pension.

Citizens of the U.S. have a right to a fair and impartial judiciary. The House vote to impeach Judge Samuel Kent sent the strong message to all federal judges that the House of Representatives will carry out its Constitutional duty to root out abuses of power in the federal judiciary.

After the June 18th vote, the Senate began preparations for trial to convict Kent and remove him from office. On June 30, 2009, facing a public trial in the Senate, Judge Kent finally resigned from office. As a result of the swift action by the House and Senate, Samuel Kent is no longer a federal judge and he will no longer collect his taxpayer-funded salary or benefits while sitting in federal prison, nor will he do so after his release.

I would like to take this opportunity to thank Adam Schiff, the chairman of the Task Force on Judicial Impeachment, for his leadership in this effort, along with all the Members of the Task Force on both sides of the aisle. As Ranking Member of the Impeachment Task Force, I appreciate the fact that this effort has been undertaken in an extremely bipartisan fashion. I would also like to thank Chairman CONYERS and Ranking Member SMITH for their comprehensive, yet expeditious and bipartisan consideration of the articles of impeachment in the full Judiciary Committee.

Now that Samuel Kent is no longer serving as a federal judge, there is no longer a need for the Senate to remove him from office. Therefore, I support this resolution urging the Senate to end further proceedings in this matter.

35TH COMMEMORATION OF THE TURKISH INVASION OF CYPRUS

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. SPACE. Madam Speaker, 35 years ago today, Turkish forces invaded the sovereign nation of Cyprus, killing 5,000 Greek Cypriots and displacing nearly 200,000 as refugees in their own country. This blatant disregard for international law and lack of respect for a country's right to self-determination is made even worse by the fact that Turkish occupation of the northern segment of Cyprus continues to this day.

35 years represents an entire generation of Cypriots expelled from their homes; their property taken, family members missing, and religious artifacts vandalized and destroyed. Nearly 37 percent of the island of Cyprus remains under Turkish military control, insistent on an illegitimate sovereignty that is unrecognized by any nation but Turkey.

The legitimate, internationally recognized Republic of Cyprus stands firmly for peaceful resolution of the conflict. Cyprus wishes only to unify the island as a bi-zonal, bicommunal federation, in which Turkish Cypriots and Greek Cypriots are free to travel and participate in their own government. This path to a resolution calls for a single citizenship, a single sovereignty, and two politically equal communities.

More than 35 rounds of talks between the parties have occurred since September, 2008, signaling slow progress toward this mutually-agreeable solution. Peaceful crossings between the two segments of the island have occurred. Yet, negotiations are consistently delayed and thwarted by Turkey, who must draw down its troops and free the Turkish Cypriot leaders to negotiate within the agreed-upon framework.

The solution to proceed with a bi-zonal, bicommunal federation is, most importantly, Cypriot in design. Cyprus must be the author of its own path forward. Yet, the United States can and must do more to encourage our ally, Turkey, to support the process and the reunification of the island. Resolution will remove a major barrier to Turkey's accession to the EU, but it cannot be rushed by artificial timetables. We must provide support and assistance to the process and those working to move it forward.

The House took a step in encouraging reunification by allocating $11 million for scholarships and activities that promote reunification and peace in Cyprus in the State and Foreign Operations Appropriations Act that passed this month. I hope that we might follow this step with additional support and assistance towards this important goal.

LETTER FROM THE HIGH-PERFORMANCE BUILDING CONGRESSIONAL CAUCUS COALITION RE: ENERGY AND WATER APPROPS OF 2010

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. CARNAHAN. Madam Speaker, I submit the following letter:

HIGH-PERFORMANCE BUILDING CONGRESSIONAL CAUCUS COALITION,
July 15, 2009.

Chairman DAVID OBEY,
Committee on Appropriations, House of Representatives, H–218 U.S. Capitol, Washington, DC.

Ranking Member JERRY LEWIS,
Committee on Appropriations, House of Representatives, 1016 Longworth House Office Building, Washington, DC.

Re DOE Energy Efficient Building Systems Hub

DEAR CHAIRMAN OBEY AND RANKING MEMBER LEWIS: As you consider appropriations for the Department of Energy that will impact the energy use associated with buildings, the members of the High-Performance Building Congressional Caucus Coalition (HPBCCC) indicated below, strongly encourage providing funding for the implementation of an innovation hub for energy efficient building systems.

High-performance buildings, which address human, environmental, economic and total societal impact, are the result of the application of the highest level design, construction, operation and maintenance principles—a paradigm change for the built environment. The U.S. should continue to improve the features of new buildings, and adapt and maintain existing buildings, to changing balances in our needs and responsibilities for health, safety, energy efficiency and usability by all segments of society.

Within the private sector, we have made considerable gains toward the design and construction of energy efficient buildings and equipment. In further pursuit of the nation's energy goals and to fully realize the results of private sector innovation, we look forward to working with you and the Department of Energy to establish public-private partnership programs (including the Energy Efficient Building Systems Hub) to effectively develop and implement energy savings technologies and practices.

The High-Performance Building Congressional Caucus Coalition (HPBCCC) is a private sector coalition of leading organizations from the building community formed to provide guidance and support to the High-Performance Building Caucus of the U.S. Congress. The High-Performance Building Caucus of the U.S. Congress was formed to heighten awareness and inform policymakers about the major impact buildings have on our health, safety and welfare and the opportunities to design, construct and operate high-performance buildings that reflect our concern for these impacts. Fundamental to these concerns include protecting life and property, developing novel building technologies, facilitating and enhancing U.S. economic competitiveness, increasing energy efficiency in the built-environment, assuring buildings have minimal climate change impacts and are able to respond to changes in the environment, and supporting the development of private sector standards, codes and guidelines that address these concerns.

Sincerely,

American Society of Heating, Refrigerating and Air-conditioning Engineers (ASHRAE); Glass Association of North America (GANA); AEC Science & Technology; National Electrical Manufacturers Association (NEMA); National Institute of Building Sciences (NIBS); The Carpet and Rug Institute; American Society of Civil Engineers (ASCE).

International Association of Plumbing and Mechanical Officials (IAPMO); Plumbing-Heating-Cooling Contractors-National Association (PHCC); U.S. Green Building Council (USGBC); International Council of Shopping Centers (ICSC); National Fenestration Rating Council (NFRC); Green Building Initiative (GBI); American Institute of Architects (AIA).

Environmental and Energy Study Institute (EESI); Portland Cement Association (PCA); International Code Council (ICC); Architecture 2030; Center for Environmental Innovation in Roofing; Mechanical Contractors Association of America (MCAA).

Green Builder Media; International Association of Lighting Designers (IALD); Air Conditioning Contractors of America (ACCA); Alliance to Save Energy (ASE); Spray Polyurethane Foam Alliance (SPFA); Green Mechanical Council.

RECOGNIZING THE RETIREMENT OF DR. JEROME KARLE, PH.D., AND DR. ISABELLA L. KARLE, PH.D.

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 20, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize a lifetime of service to our Navy and Marine Corps as well as to our nation from the husband and wife team of Dr. Jerome Karle, Ph.D., and Dr. Isabella L. Karle, Ph.D. They both will be retiring on July 31, 2009, from the Naval Research Laboratory after a combined 127 years of federal service. The longevity of their impressive service is surpassed only by the remarkable nature of the scientific contributions that they have made.

The career of Dr. Jerome Karle began with the Manhattan Project and continued when he joined the U.S. Naval Research Laboratory (NRL) in 1944. Dr. Jerome Karle, an internationally renowned chemist and defense scientist, made great contributions to our country's defense and well-being. His work involved the determination of the atomic arrangements in materials and their implications. He and his colleagues developed new methods to determine those arrangements, which have been universally adopted throughout the world. This research occupies an almost unique position in science because the information it provides is used continuously in other fields. His work in the development of direct methods for the determination of crystal structures was recognized with the prestigious Nobel Prize in Chemistry in 1985. He holds honorary degrees from six prominent universities and has served as the chairman of the Chemistry Section of the National Academy of Sciences. He has received the Department of Defense Distinguished Civilian Service Award, the Secretary of the Navy Award for Distinguished Achievement in Science, the President's Award for Distinguished Federal Civilian

Service, and the Presidential Rank Award for Distinguished Federal Civilian Service. More recently, in 2004, he was honored as one of only nine Department of Defense career civilian employees featured in a Pentagon ''Civilian Hall of Fame,'' a permanent exhibit that will be open for new inductees every ten years.

Dr. Isabella L. Karle, who also worked on the Manhattan Project and joined her husband at the U.S. Naval Research Laboratory in 1946, pioneered research that occupies a special place along the frontier of scientific progress. Her work provided the basis for ensuing methodologies which are now used for a broad range of military and civilian applications, from improved propellants, more powerful explosives, and more effective sensor systems to novel anti-cancer drugs, antibiotics and decontaminating agents. In addition, her research has led to a vastly improved understanding of the properties of several classes of crystalline materials, including several families of metal alloys and a lengthy list of organic substances. More specifically, Dr. Isabella Karle is responsible for the development and extensive application of a method for determining essentially equal-atom crystal and molecular structures by X-ray analysis. The method transformed analyses that were previously characterized by tedious frustration and abortive efforts to one of systematic processes. From a small number of structure analyses being published in the 1960s, her procedure has led to the analyses and publication of many thousands of structures of complicated molecules annually. All of the present computerized programs for X-ray structure analyses are based on her fundamental work known as the Symbolic Addition Procedure. Its high success rate has had a profound effect on the practice of organic and biological chemistry. Her work to determine accurately and with dispatch the three-dimensional arrangements of atoms in a very broad range of substances has been recognized with the prestigious National Medal of Science. She holds honorary degrees from eight prominent universities; The Benjamin Franklin National Memorial's Bower Award and Prize for Achievement in Science, The Franklin Institute; the Department of Defense Distinguished Civilian Service Award; the Paul Ehrlich Prize, National Institutes of Health; the American Peptide Society's Merrifield Award; the Gregory Aminoff Prize, Royal Academy of Sciences (Sweden); and the Ralph Hirschmann Award in Peptide Science, American Chemical Society. In 2004, the University of Michigan honored both Drs. Jerome and Isabella Karle with the ''Jerome and Isabella Karle Collegiate Professorship of Chemistry.''

The pioneering research of Jerome and Isabella Karle occupies a special place along the frontier of scientific progress because the information provided by ensuing methodologies is now used for a broad range of military and civilian applications. Their groundbreaking work truly affirms the idea that the pursuit of fundamental knowledge, by a cadre of government scientists working in a defense mission environment, is of enormous value to national security. Madam Speaker, I ask my colleagues to join me in recognizing Dr. Jerome Karle and Dr. Isabella L. Karle for their exemplary service to our nation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 21, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 22

9 a.m.

Foreign Relations

To hold hearings to examine the nominations of Samuel Louis Kaplan, of Minnesota, to be Ambassador to the Kingdom of Morocco, James B. Smith, of New Hampshire, to be Ambassador to the Kingdom of Saudi Arabia, Kenneth E. Gross, Jr., of Virginia, to be Ambassador to the Republic of Tajikistan, and Miguel Humberto Diaz, of Minnesota, to be Ambassador to the Holy See, all of the Department of State.

SD–419

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the semiannual monetary policy report to the Congress.

SD–106

Commerce, Science, and Transportation

Consumer Protection, Product Safety, and Insurance Subcommittee

To hold hearings to examine advertising trends and consumer protection.

SR–253

Environment and Public Works

To hold hearings to examine the nomination of Samuel D. Hamilton, of Mississippi, to be Director of the United States Fish and Wildlife Service, Department of the Interior.

SD–406

Judiciary

To hold hearings to examine job creation and foreign investment in the United States, focusing on assessing the EB–5 Regional Center Program.

SD–226

Veterans' Affairs

To hold hearings to examine the nominations of Raymond M. Jefferson, of Hawaii, to be Assistant Secretary of Labor for Veterans' Employment and Training, and Joan M. Evans, of Oregon, to be an Assistant Secretary of Veterans Affairs for Congressional and Legislative Affairs.

SR–418

1 p.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine the role of agriculture and forestry in global warming legislation.

SR–325

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine the Children's Television Act for a digital media age.

SR–253

Judiciary

Crime and Drugs Subcommittee

To hold hearings to examine metal theft, focusing on law enforcement challenges.

SD–226

Foreign Relations

To hold hearings to examine foreign aid and development in a new era.

SD–419

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine S. 635, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System, S. 715, to establish a pilot program to provide for the preservation and rehabilitation of historic lighthouses, S. 742, to expand the boundary of the Jimmy Carter National Historic Site in the State of Georgia, to redesignate the unit as a National Historical Park, S. 1270, to modify the boundary of the Oregon Caves National Monument, S. 1418 and H.R. 2330, bills to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System, and H.R. 2430, to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

SD–366

3 p.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the nomination of Deborah Matz, of Virginia, to be a Member of the National Credit Union Administration Board.

SD–538

JULY 23

9:30 a.m.

Banking, Housing, and Urban Affairs

Business meeting to consider an original bill entitled ''The Public Transportation Extensions Act of 2009''; to be immediately followed by a hearing to examine establishing a framework for systemic risk regulation.

SD–538

Foreign Relations

To hold hearings to examine the nominations of Jon M. Huntsman, Jr., of Utah, to be Ambassador to the People's Republic of China, John Victor Roos, of California, to be Ambassador to Japan, Jonathan S. Addleton, of Georgia, to be Ambassador to Mongolia, Teddy Bernard Taylor, of Maryland, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands and Ambassador to the Republic of Vanuatu, and Martha Larzelere Campbell, of Michigan, to be Ambassador to the Republic of the Marshall Islands, all of the Department of State.

SD–419

10 a.m.

Judiciary

Administrative Oversight and the Courts Subcommittee

To hold hearings to examine the reconsideration of bankruptcy reform.

SD–226

Joint Economic Committee

To hold hearings to examine balancing work and family in the recession.

210, Cannon Building

10:30 a.m.

Judiciary

Crime and Drugs Subcommittee

To hold hearings to examine S. 845, to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State.

SD–226

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine the future of the OSCE Mediterranean Partners for Cooperation.

210, Cannon Building

2:30 p.m.

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine D.C. public schools, focusing on education reform.

SD–342

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings to examine S. 637, to authorize the construction of the Dry-Redwater Regional Water Authority System in the State of Montana and a portion of McKenzie County, North Dakota, S. 789, to require the Secretary of the Interior to conduct a study on the feasibility and suitability of constructing a storage reservoir, outlet works, and a delivery system for the Tule River Indian Tribe of the Tule River Reservation in the State of California to provide a water supply for domestic, municipal, industrial, and agricultural purposes, S. 1080, to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and S. 1453, to amend Public Law 106–392 to maintain annual base funding for the Bureau of Reclamation for the Upper Colorado River and San Juan fish recovery programs through fiscal year 2023.

SD–366

Intelligence

To hold closed hearings to consider certain intelligence matters.

S–407, Capitol

JULY 28

10 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Alexander G. Garza, of Missouri, to be Assistant Secretary for Health Affairs and Chief Medical Officer, Department of Homeland Security.

SD–342

JULY 29

9:30 a.m.

Veterans' Affairs

To hold hearings to examine veteran's disability compensation.

SR–418

10 a.m.

Foreign Relations

Near Eastern and South and Central Asian Affairs Subcommittee

To hold hearings to examine Pakistan's internally displace persons (IDP) crisis.

SD–419

JULY 30

10 a.m.

Foreign Relations

To hold hearings to examine a comprehensive strategy for Sudan.

SD–419

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7667–S7722

Measures Introduced: Six bills and one resolution were introduced, as follows: S. 1470–1475, and S. Res. 217. **Page S7699**

Measures Reported:

S. 529, to assist in the conservation of rare fields and rare canids by supporting and providing financial resources for the conservation programs of countries within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations. (S. Rept. No. 111–52)

H.R. 80, to amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act, to make corrections in the provisions relating to captive wildlife offenses under that Act. (S. Rept. No. 111–53)

H.R. 388, to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystems of cranes. (S. Rept. No. 111–54) **Pages S7698–99**

Measures Passed:

Condemning and Combating Anti-Semitism: Senate agreed to S. Con. Res. 11, condemning all forms of anti-Semitism and reaffirming the support of Congress for the mandate of the Special Envoy to Monitor and Combat Anti-Semitism, after agreeing to the committee amendments, and the following amendment proposed thereto: **Page S7719**

Hagan (for Collins) Amendment No. 1639, to amend the preamble. **Pages S7720–21**

New Frontier Congressional Gold Medal Act: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 951, to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. "Buzz" Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr, and the bill was then passed, after agreeing to the following amendments proposed thereto: **Page S7721**

Hagan (for Nelson (FL)) Amendment No. 1640, in the nature of a substitute. **Page S7721**

Hagan (for Nelson (FL)) Amendment No. 1641, to amend the title. **Page S7721**

Measures Considered:

National Defense Authorization Act: Senate resumed consideration of S. 1390, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, taking action on the following amendments proposed thereto: **Pages S7667–96**

Adopted:

Levin (for Kennedy) Modified Amendment No. 1614, to limit prosecutions until the Attorney General establishes standards for the application of the death penalty. **Page S7683**

Levin (for Sessions) Modified Amendment No. 1615, to authorize the death penalty. **Page S7683**

Levin (for Sessions) Modified Amendment No. 1617, to require that hate-crimes offenses be identified and prosecuted according to neutral and objective criteria. **Pages S7683–86**

By a unanimous vote of 92 yeas (Vote No. 234), Levin (for Sessions) Amendment No. 1616, to prohibit assault or battery of a United States serviceman on account of the military service of the United States serviceman or status as a serviceman. **Pages S7686–89**

Pending:

Thune Amendment No. 1618, to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State. **Pages S7689–96**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 10 a.m., on Tuesday, July 21, 2009, and that notwithstanding the order of July 16, 2009, the Levin-McCain amendment relative to the F–22, be considered on Tuesday, July 21, 2009, beginning immediately after the opening of the Senate and extending for up to 2 hours of debate, and the vote on the amendment occurring upon the use or yielding back of time, as provided for under the previous order which established the parameters of considering the amendment; with the other provisions of the order of July 16, 2009, governing consideration of the Levin-McCain amendment relative to the F–22 remaining in effect; provided further, that at 9:30 a.m., on Wednesday, July 22, 2009, after the opening of the Senate, Senate continue consideration of the bill, and Thune Amendment No. 1618 (listed above), with the time until 12 noon for debate with respect to Thune Amendment No. 1618(listed above), and the time be equally divided and controlled between Senators Thune and Durbin, or their designees; with no amendments in order to Thune Amendment No. 1618 (listed above) during its pendency; that adoption of the Thune amendment requires a 60-affirmative vote threshold; provided further, that if the amendment achieves that threshold, then it be agreed to; provided that it does not achieve that threshold, then the amendment be withdrawn; provided further, that at 12 noon, Senate vote on or in relation to the amendment. **Page S7693**

Impeachment Trial of Samuel B. Kent—Agreement: A unanimous-consent agreement was reached providing that the Senate convene as a Court of Impeachment in the trial of Samuel B. Kent at 2 p.m., on Wednesday, July 22, 2009, and that the Secretary of the Senate inform the House of Representatives that the Senate will at that time receive the honorable managers on the part of the House of Representatives. **Page S7697**

Nomination Confirmed: Senate confirmed the following nomination:

Evan J. Segal, of Pennsylvania, to be Chief Financial Officer, Department of Agriculture. (Prior to this action, Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.) **Pages S7721, S7722**

Nominations Received: Senate received the following nominations:

Jill Sommers, of Kansas, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2014.

Daniel R. Elliott, III, of Ohio, to be a Member of the Surface Transportation Board for a term expiring December 31, 2013.

Jose Antonio Garcia, of Florida, to be Director of the Office of Minority Economic Impact, Department of Energy.

John R. Fernandez, of Indiana, to be Assistant Secretary of Commerce for Economic Development.

Gary S. Guzy, of the District of Columbia, to be Deputy Director of the Office of Environmental Quality.

Lee Andrew Feinstein, of Virginia, to be Ambassador to the Republic of Poland.

Robert D. Hormats, of New York, to be an Under Secretary of State (Economic, Energy, and Agricultural Affairs).

Marvin Krislov, of Ohio, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014. **Page S7722**

Messages from the House: **Page S7698**

Measures Referred: **Page S7698**

Measures Placed on the Calendar: **Page S7698**

Additional Cosponsors: **Pages S7699–S7702**

Statements on Introduced Bills/Resolutions: **Pages S7702–04**

Amendments Submitted: **Pages S7704–19**

Privileges of the Floor: **Page S7719**

Record Votes: One record vote was taken today. (Total—234) **Page S7687**

Adjournment: Senate convened at 1 p.m. and adjourned at 7:21 p.m., until 10 a.m. on Tuesday, July 21, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7722.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 3258–3268; and 3 resolutions, H. Con. Res. 167; and H. Res. 661–662 were introduced. **Page H8409**

Additional Cosponsors: **Pages H8409–10**

Reports Filed: Reports were filed today as follows:

H.R. 2498, to designate the Federal building located at 844 North Rush Street in Chicago, Illinois, as the "William O. Lipinski Federal Building" (H. Rept. 111–213);

H.R. 2093, amend the Federal Water Pollution Control Act relating to beach monitoring, with an amendment (H. Rept. 111–214) and

H.R. 1665, to structure Coast Guard acquisition processes and policies (H. Rept. 111–215). **Page H8409**

Speaker: Read a letter from the Speaker wherein she appointed Representative Edwards (MD) to act as Speaker Pro Tempore for today. **Page H8359**

Recess: The House recessed at 12:31 p.m. and reconvened at 2 p.m. **Page H8359**

Journal: The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 233 yeas to 159 nays, Roll No. 593. **Pages H8359, H8388–89**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Celebrating the Fortieth Anniversary of the Apollo 11 Moon Landing: H. Res. 607, to celebrate the Fortieth Anniversary of the Apollo 11 Moon Landing, by a ⅔ yea-and-nay vote of 390 yeas with none voting "nay", Roll No. 594; **Pages H8360–62, H8389**

Instructing the managers on the part of the House of Representatives in the impeachment proceeding now pending against Samuel B. Kent: H. Res. 661, to instruct the managers on the part of the House of Representatives in the impeachment proceeding now pending against Samuel B. Kent to advise the Senate that the House of Representatives does not desire further to urge the articles of impeachment against Samuel B. Kent; and **Page H8377**

New Frontier Congressional Gold Medal Act: H.R. 2245, to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. "Buzz" Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr., by a ⅔ yea-and-nay vote of 390 yeas with none voting "nay", Roll No. 595. **Pages H8385–87, H8389–90**

Recess: The House recessed at 5:10 p.m. and reconvened at 6:32 p.m. **Page H8387**

Privileged Resolution—Intent to Offer: Representative Flake announced his intent to offer a privileged resolution. **Pages H8387–88**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Authorizing the designation of National Environmental Research Parks by the Secretary of Energy: H.R. 2729, amended, to authorize the designation of National Environmental Research Parks by the Secretary of Energy; **Pages H8362–64**

Providing for a program of research, development, and demonstration on natural gas vehicles: H.R. 1622, amended, to provide for a program of research, development, and demonstration on natural gas vehicles; **Pages H8364–67**

Supporting the goals of National Dairy Month: H. Res. 507, amended, to support the goals of National Dairy Month; **Pages H8367–69**

Recognizing the establishment of Hunters for the Hungry programs across the United States and the contributions of those programs efforts to decrease hunger and help feed those in need: H. Res. 270, to recognize the establishment of Hunters for the Hungry programs across the United States and the contributions of those programs efforts to decrease hunger and help feed those in need; **Pages H8369–71**

Recognizing the 40th anniversary of the Food and Nutrition Service of the Department of Agriculture: H. Con. Res. 164, to recognize the 40th anniversary of the Food and Nutrition Service of the Department of Agriculture; **Pages H8371–73**

Commending the Bureau of Labor Statistics on the occasion of its 125th anniversary: S. Con. Res. 30, to commend the Bureau of Labor Statistics on the occasion of its 125th anniversary; **Pages H8373–76**

Recognizing the historical and national significance of the many contributions of John William Heisman to the sport of football: H. Con. Res. 123, to recognize the historical and national significance

of the many contributions of John William Heisman to the sport of football; **Pages H8376–77**

A Child Is Missing Alert and Recovery Center Act: H.R. 1933, to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children; **Pages H8377–79**

Korean War Veterans Recognition Act: H.R. 2632, to amend title 4, United States Code, to encourage the display of the flag of the United States on National Korean War Veterans Armistice Day; and **Pages H8379–81**

Fank Melville Supportive Housing Investment Act of 2009: H.R. 1675, to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities. **Pages H8381–85**

Senate Messages: Message received from the Senate by the Clerk and subsequently presented to the House today and a message received from the Senate today appear on page H8390.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H8388–89, H8389, H8389–90. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:57 p.m.

Committee Meetings

AMERICA'S AFFORDABLE HEALTH CHOICES ACT

Committee on Energy and Commerce: Continued markup of H.R. 3200, America's Affordable Health Choices Act.

Will continue tomorrow.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, JULY 21, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: business meeting to consider S. 1274, to amend title 46, United States Code, to ensure that the prohibition on disclosure of maritime transportation security information is not used inappropriately to shield certain other information from public disclosure, S. 1451, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, an original bill entitled "SAFETEA–LU", and the nominations of Polly Trottenberg, of Maryland, to be Assistant Secretary, and Deborah A. P. Hersman, of Virginia, to be Chairman of the Safety Board, both of the Department of Transportation, Richard A. Lidinsky, Jr., of Maryland, to be a Federal Maritime Commissioner, and 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.

Committee on Energy and Natural Resources: to hold hearings to examine S. 561 and H.R. 1404, bills to authorize a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, 10 a.m., SD–366.

Committee on Environment and Public Works: with the Subcommittee on Green Jobs and the New Economy, to hold a hearing to examine state and local views on clean energy jobs, climate-related policies, and economic growth, 10 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the nominations of Charles Aaron Ray, of Maryland, to be Ambassador to the Republic of Zimbabwe, Gayleatha Beatrice Brown, of New Jersey, to be Ambassador to Burkina Faso, Donald Henry Gips, of Colorado, to be Ambassador to the Republic of South Africa, James Knight, of Alabama, to be Ambassador to the Republic of Benin, Earl Michael Irving, of California, to be Ambassador to the Kingdom of Swaziland, Jerry P. Lanier, of North Carolina, to be Ambassador to the Republic of Uganda, Michael Anthony Battle, Sr., of Georgia, to be Representative to the African Union, with the rank and status of Ambassador, Alfonso E. Lenhardt, of New York, to be Ambassador to the United Republic of Tanzania, Pamela Jo Howell Slutz, of Texas, to be Ambassador to the Republic of Burundi, and Patricia Newton Moller, of Arkansas, to be Ambassador to the Republic of Guinea, all of the Department of State, 10:15 a.m., SD–419.

Full Committee, business meeting to consider pending calendar business, to be immediately followed by a hearing to examine climate change and global security in SD–419, 2:15 p.m., S–116, Capitol.

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations, to hold hearings to examine the wheat market, 2:30 p.m., SD–342.

Committee on the Judiciary: business meeting to consider 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.

Subcommittee on Immigration, Refugees and Border Security, to hold hearings to examine the current employment verification system, 2:15 p.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to consider certain intelligence matters, 2:30 p.m., S–407, Capitol.

House

Committee on Agriculture, Subcommittee on Livestock, Dairy and Poultry, to continue hearings to review economic conditions facing the dairy industry, part two, 11 a.m., 1300 Longworth.

Committee on Armed Services, to mark up H. Res. 602, Requesting that the President and directing that the Security of Defense transmit to the House of Representatives all information in their possession relating to specific communications regarding detainees and foreign persons suspected of terrorism, 1 p.m., 2118 Rayburn.

Defense Acquisition Reform Panel, hearing on shaping a workforce for today's acquisition environment that can meet DOD's needs, 8 a.m., 2212 Rayburn.

Committee on Education and Labor, to mark up H.R. 3221, Student Aid and Fiscal Responsibility Act of 2009, 11 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to continue markup of H.R. 3200, American's Affordable Health Choices Act, 10 a.m., 2123 Rayburn.

Committee on Financial Services, hearing on the Chairman on monetary policy and the state of the economy, 10 a.m.; and a hearing entitled " Systemic Risk: Are Some Institutions Too Big to Fail and If So, What Should We Do About It?" 2 p.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, hearing "Security the Modern Electric Grid from Physical and Cyber Attacks," 2 p.m., 311 Cannon.

Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment, executive, briefing on the National Geospatial-Intelligence Agency (NGA) satellite imagery, 10 a.m., 1539 Longworth.

Subcommittee on Management, Investigations, and Oversight, executive, briefing on the DHS Civil Rights and Civil Liberties Disability and Special Needs Policy Team, 11:30 a.m. 1539 Longworth.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, to continue hearings on Ramifications of the Auto Industry Bankruptcies, Part II, 11 a.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism and Homeland Security, oversight hearing on Federal Bureau of Prisons, 10 a.m., 2237 Rayburn.

Committee on Natural Resources, Subcommittee on National Parks, Forests and Public Lands, hearing on H.R. 644, Grand Canyon Watersheds Protection Act of 2009, 10 a.m., 1324 Longworth.

Subcommittee on Water and Power, hearing on the following bills: H.R. 1738, Downey Regional Water Reclamation and Groundwater Augmentation Project of 2009; H.R. 2265, Magna Water District Water Reuse and Groundwater Recharge Act of 2009; H.R. 2442, Bay Area Regional Water Recycling Program Expansion Act of 2009; H.R. 2522, To raise the ceiling on the Federal share of the cost of the Calleguas Municipal Water District Recycling Project; H.R. 2741, To amend the Reclamation Wastewater and Goundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project; H.R. 2950, To direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District; and H.R. 1065, White Mountain Apache Tribe Water Rights Quantification Act of 2009, 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, hearing entitled "Following the Money: Report of the Special Inspector General for the Troubled Asset Relief Program (SIGTARP)," 10 a.m., 2154 Rayburn.

Committee on Rules, to consider H.R. 2920, Statutory Pay-As-You-Go Act of 2009, 3 p.m., H–313 Capitol.

Committee on Science and Technology, Subcommittee on Energy and Environment to mark up the following bills: H.R. 3246, Advanced Vehicle Technology Act of 2009; H.R. 3165, Wind Energy Research and Development Act of 2009; H.R. 3029, to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle power general systems; and H.R. 3247, To establish a social and behavioral science research program at the Department of Energy, 2 p.m., 2318 Rayburn.

Subcommittee on Research and Science Education, hearing on Encouraging the Participation of Female Students in STEM fields, 10 a.m., 2318 Rayburn.

Committee on Ways and Means, Subcommittee on Trade, hearing on Trade Advisory Committee System, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on Pakistan Nuclear Security, 3 p.m., 304–HVC.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine Cyprus' religious cultural heritage, 2 p.m., B318, Rayburn Building.

Joint Economic Committee: to hold hearings to examine the Federal Statistical System in the 21st century, focusing on the role of the Census Bureau, 1 p.m., 2203, Rayburn Building.

Next Meeting of the SENATE

10 a.m., Tuesday, July 21

Senate Chamber

Program for Tuesday: Senate will continue consideration of S. 1390, National Defense Authorization Act, and after a period of debate, vote on or in relation to the Levin-McCain amendment relative to the F–22.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Tuesday, July 21

House Chamber

Program for Tuesday: Consideration of the following suspensions: 1) H. J. Res. 56—Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; 2) H. Res. 654—Honoring the Organization for Security and Cooperation in Europe Mediterranean Partners for Cooperation; 3) H. Res. 538—Resolution supporting Olympic Day and encouraging the International Olympic Committee to select Chicago, Illinois, as the host city for the 2016 Olympic and Paralympic Games; 4) H. Res. 285—Congratulating the people of the Republic of Lithuania for its 1000th anniversary of Lithuania and celebrating the rich history of Lithuania; 5) H.R. 1511—Torture Victims Relief Reauthorization Act of 2009; 6) H. Res. 519—Expressing appreciation to the people and Government of Canada for their long history of friendship and cooperation with the people and Government of the United States; 7) H.R. 2498—The ''William O. Lipinski Federal Building'' Designation Act; 8) H. Res. 508—Expressing the sense of the House of Representatives that the general aviation industry should be recognized for its contributions to the United States; 9) H.R. 2093—Clean Coastal Environment and Public Health Act of 2009; 10) H.R. 1665—Coast Guard Acquisition Reform Act of 2009; 11) H.R. 1752—To provide that the usual day for paying salaries in or under the House of Representatives may be established by regulations of the Committee on House Administration; 12) H.R. 2510—Absentee Ballot Track, Receive, and Confirm Act; 13) H.R. 2728—William Orton Law Library Improvement and Modernization Act; 14) H.R. 2972—The ''Conrad DeRouen, Jr. Post Offices Designation Act; 15) H. Res. 534—Supporting the goals and ideals of ''National Children and Families Day''; 16) H. Res. 350—Honoring the life and accomplishments of Harry Kalas for his invaluable contributions to the national past-time of baseball, the community, and the Nation; and 17) H. Res. 566—Congratulating the 2008–2009 National Basketball Association Champions, the Los Angeles Lakers, on an outstanding and historic season.

Extensions of Remarks, as inserted in this issue

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Congressional Record

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